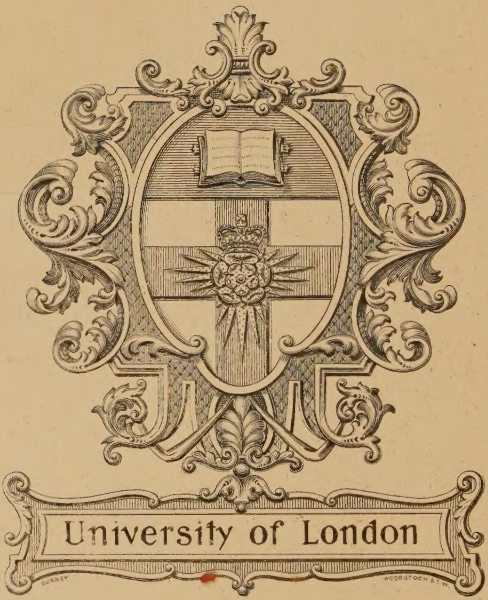
THIS BOOK
MUST NOT BE REMOVED
FROM THE LIBRARY

UNIVERSITY OF LONDON LIBRARY

REFERENCE ONLY
Goldsmiths' Library
FOR REFERENCE ONLY.


University of London

620141

# HANSARD'S

# PARLIAMENTARY DEBATES,

## THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

46° VICTORIÆ, 1883.

## VOL. CCLXXVIII.

COMPRISING THE PERIOD FROM

THE ELEVENTH DAY OF APRIL 1883,

TO

THE FOURTH DAY OF MAY 1883.

Third Volume of the Session.

LONDON:
PUBLISHED BY CORNELIUS BUCK,
AT THE OFFICE FOR "HANSARD'S PARLIAMENTARY DEBATES,"
22, PATERNOSTER ROW. [E.C.]

1883.

95

BIBL.
LONDIN.
UNIV.

# TABLE OF CONTENTS

TO

# VOLUME CCLXXVIII.

---

## THIRD SERIES.

---

### COMMONS, WEDNESDAY, APRIL 11.

*Page*

### *QUESTIONS.*

—o—

Post Office (Contracts)—The Irish Mail Service—Registration of Voters (Ireland) Bill — Questions, Mr. Dawson, Colonel King-Harman ; Answers, Mr. Trevelyan .. .. .. 1

### *ORDER OF THE DAY.*

—o—

**Elective Councils (Ireland) Bill** [Bill 16]—

*Moved,* "That the Bill be now read a second time,"—(*Mr. Barry*) .. 3

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Colonel King-Harman.*)

Question proposed, "That the word 'now' stand part of the Question:" —After debate, Question put:—The House *divided;* Ayes 58, Noes 231; Majority 173.—(Div. List, No. 55.)

Words *added:*—Main Question, as amended, put, and *agreed to:*—Second Reading *put off* for six months.

---

**Copyright Bill**—*Ordered* (*Mr. Hastings, Mr. Hanbury-Tracy, Sir Gabriel Goldney, Mr. Agnew*) ; *presented,* and read the first time [Bill 141] .. .. 30

[5.55.]

### LORDS, THURSDAY, APRIL 12.

New Peer—Sir Frederick Beauchamp Paget Seymour, G.C.B., Admiral and Commander-in-Chief of Her Majesty's Naval Forces in the Mediterranean, created Baron Alcester of Alcester in the county of Warwick.

West Africa—The Church Missionary Society—Action of Agents on the River Niger—Observations, Question, The Duke of Somerset; Reply, The Earl of Derby:—Short debate thereon .. .. 31

Navy—The Naval Forces—Motion for a Select Committee—
*Moved*, "That a Select Committee be appointed to inquire as to the adequacy of the present naval forces of this country to meet the increasing demands made on their services, and such further demands as may hereafter arise in consequence of the augmentation of foreign navies,"—(*The Viscount Sidmouth*) .. .. 40
After short debate, Motion (by leave of the House) *withdrawn*.

Poor Law (England)—Lady Inspectors—Question, Observations, Viscount Enfield; Reply, Lord Carrington .. .. .. 52

**Agricultural Holdings (England) Bill** [H.L.]—*Presented* (*The Lord Vernon*); read $1^a$ (No. 30) .. .. .. .. .. 54

**Elementary Education Provisional Order Confirmation (London) Bill** [H.L.]—*Presented* (*The Lord President*); read $1^a$, and *referred* to the Examiners (No. 31) .. 54
[7.15.]

## COMMONS, THURSDAY, APRIL 12.

## *QUESTIONS.*

South Africa—Natal—Changes in the Legislative Council—Question, Sir George Campbell; Answer, Mr. Evelyn Ashley .. .. 54
Scotland—The Distress in the Highlands and Islands—Question, Mr. Buchanan; Answer, The Lord Advocate .. .. .. 56
South Africa—The Transvaal—Supply of Arms and Ammunition—Question, Mr. Cropper; Answer, Mr. Evelyn Ashley .. .. 56
Post Office (Ireland)—Telegraph Department—Carrigallen—Question, Colonel O'Beirne; Answer, Mr. Fawcett .. .. 58
Law and Police—The Criminal Investigation Department—Question, Mr. M'Laren; Answer, Sir William Harcourt .. .. 58
Law and Justice—The Magistracy—The Llangollen Magistrates—Question, Mr. P. A. Taylor; Answer, Sir William Harcourt .. 59
Poor Law (Ireland)—The Workhouse Test—Question, Colonel Colthurst; Answer, Mr. Trevelyan .. .. .. 59
Post Office (Contracts) — The Irish Mail Service — Question, Mr. Maurice Brooks; Answer, Mr. Fawcett .. .. .. 60
South Africa—Bechuanaland—Report of Captain Harrel—Question, Mr. A. M'Arthur; Answer, Mr. Evelyn Ashley .. .. 60
Parliament—Business of the House—The Parliamentary Oaths Act (1866) Amendment Bill—Questions, Mr. M'Lagan, Mr. Labouchere; Answers, The Attorney General .. .. .. 60
Elementary Education Acts—The North Surrey District Schools—Question, Mr. Grantham; Answer, Mr. Hibbert .. .. 61
Army (India)—The late Indian Artillery—Question, Sir Trevor Lawrence; Answer, The Marquess of Hartington .. .. 62
Inland Revenue—Collection of Income Tax—Questions, Mr. Alderman Cotton, Sir Stafford Northcote; Answers, The Chancellor of the Exchequer .. .. .. .. .. 63
The Danubian Conference — Admission of Roumania — Question, Mr. O'Donnell; Answer, Lord Edmond Fitzmaurice .. .. 64
Law and Justice (Ireland)—Green Street Court House, Dublin—Questions, Mr. Mayne, Mr. O'Brien; Answers, Mr. Trevelyan .. 64
New Forest Highways Bill—Crown Contributions in Lieu of Highway Rate—Question, Mr. Compton; Answer, Mr. Courtney .. 65

[*April* 12.]

*Page*

Mercantile Marine—Signalling at Sea—Question, Sir John Hay; Answer, Mr. Chamberlain .. .. .. .. 65
Law and Justice (Ireland)—The Law Adviser of the Crown—Questions, Mr. P. Martin, Mr. T. P. O'Connor; Answers, Mr. Trevelyan .. 66
Law and Justice—Appellate Jurisdiction of the House of Lords—Lay Peers—Question, Mr. Labouchere; Answer, Sir William Harcourt .. 67
Egypt (Military Expedition)—The Army Pay Department—Reward for Services—Question, Mr. Whitley; Answer, Sir Arthur Hayter .. 68
Poor Law (Ireland)—Election of Guardians for the Cork Union—Question, Mr. O'Brien; Answer, Mr. Trevelyan .. .. 69
Sale of Liquors on Sunday (Ireland) Bill—The Petition of the Town Council of the City of Dublin—Question, Mr. Blake; Answer, Mr. Dawson .. .. .. .. .. 70
Peace Preservation (Ireland) Act, 1881—Section 1—Arrest of Mr. James O'Connor—Question, Mr. Arthur O'Connor; Answer, Mr. Trevelyan .. .. .. .. .. 71
Army—The Egyptian Expedition—Imprisonment of a Soldier—Question, Mr. Justin M'Carthy; Answer, The Marquess of Hartington .. 72
Duchy of Lancaster—Estuary of the Mersey—Foreshores—The Corporation of Southport—Question, Mr. Summers; Answer, Mr. Dodson 73
Parliament—The Board of Works (Ireland)—Legislation—Question, Mr. P. Martin; Answer, Mr. Courtney .. .. .. 73
Army—Seconding of Officers Appointed to Serve in the Egyptian Army—Question, Mr. Arthur O'Connor; Answer, The Marquess of Hartington .. .. .. .. .. 74
Poor Law (Ireland)—Industrial Training of Pauper Children in Mount Mellick Workhouse—Dr. Bourke's Inquiry—Question, Mr. Arthur O'Connor; Answer, Mr. Trevelyan .. .. 74
Army — Conditions of Acceptance of Recruits — Questions, Colonel Makins, Sir Walter B. Barttelot; Answers, The Marquess of Hartington .. .. .. .. .. 75
Post Office (Telegraph Department) — Porterage of Telegrams—Question, Mr. Dalrymple; Answer, Mr. Fawcett .. .. 75
Parliament—Minister of Agriculture and Commerce—Question, Sir Massey Lopes; Answer, Mr. Gladstone .. .. .. 76
Civil Service Competition — Class I.—Clerkships — Question, Baron Henry De Worms; Answer, Mr. Courtney .. .. 76
The Transvaal Government—Dr. Jorissen—Questions, Mr. Onslow, Sir Michael Hicks-Beach; Answers, Mr. Gladstone .. .. 77
Post Office (Ireland)—The Tinahely Postmastership—Question, Mr. M'Coan; Answer, Mr. Fawcett .. .. .. 78
Post Office—Buildings—The Exeter Post Office—Question, Mr. H. S. Northcote; Answer, Mr. Shaw Lefevre .. .. .. 79
Ireland—Arrests for Drunkenness—The Constabulary Reports—Question, Mr. Callan; Answer, Mr. Trevelyan .. .. 79
Post Office (Contracts)—The Irish Mail Service—The Papers—Questions, Mr. Dawson, Mr. Gray; Answers, Mr. Courtney .. .. 80
East India—Code of Criminal Procedure Amendment Bill—Questions, Mr. O'Donnell, Mr. Macfarlane; Answers, Mr. Gladstone .. 81
Parliament—Business of the House—Parliamentary Oaths Act (1866) Amendment Bill—Questions, Sir Stafford Northcote, Mr. Labouchere, Sir H. Drummond Wolff; Answers, Mr. Gladstone .. .. 82
Parliament—Grand Committees—Report of Proceedings and Speeches—Question, Mr. Sheil; Answer, Mr. Gladstone .. .. 85
Parliament—Business of the House—The Transvaal Debate—Questions, Lord George Hamilton, Sir Michael Hicks-Beach, Mr. Cropper; Answers, Mr. Evelyn Ashley .. .. .. 86
Parliament — Parliamentary Oath (Mr. Bradlaugh)—Question, Sir Herbert Maxwell; Answer, Mr. Gladstone .. .. 88

PARLIAMENT—PUBLIC BUSINESS—Observations, Mr. Gladstone; Questions, Mr. A. F. Egerton, Sir Stafford Northcote, Mr. Beresford Hope, Mr. Onslow; Answers, Mr. Gladstone, The Chancellor of the Exchequer, Sir Charles W. Dilke .. .. .. .. 88

## *ORDER OF THE DAY.*

**Criminal Code (Indictable Offences Procedure) Bill** [Bill 8]—

*Moved*, "That the Bill be now read a second time,"—(*Mr. Attorney General*) .. .. .. .. .. 90

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "no Bill on Criminal Procedure will be satisfactory to this House which does not provide for the return of the verdict by a majority of the jurors; the public interrogation of the accused before committal and before conviction; and the assignment of counsel to prisoners,"—(*Mr. Stanley Leighton,*)—instead thereof.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question again proposed, "That the Bill be now read a second time:"—After long debate, *Moved*, "That the Debate be now adjourned," (*Mr. Sexton:*)—After further debate, Question put:—The House *divided;* Ayes 19, Noes 128; Majority 109.—(Div. List, No. 56.)

Main Question again proposed, "That the Bill be now read a second time" .. .. .. .. .. 156

*Moved*, "That this House do now adjourn,"—(*Mr. Kenny:*)—After short debate, Question put:—The House *divided;* Ayes 15, Noes 131; Majority 116.—(Div. List, No. 57.)

Main Question put, "That the Bill be now read a second time:"—The House *divided;* Ayes 132, Noes 16; Majority 116.—(Div. List, No. 53.)

*Moved*, "That the Bill be committed to the Standing Committee on Law, and Courts of Justice, and Legal Procedure,"—(*Mr. Attorney General:*)—*Moved*, "That the Debate be now adjourned,"—(*Mr. T. P. O'Connor:*)—Question put, and *agreed to:*—Debate *adjourned* till *Monday* next.

[2.30.]

## LORDS, FRIDAY, APRIL 13.

BARON WOLSELEY OF CAIRO—BARON ALCESTER—

Messages from the Queen delivered by the Earl Granville .. 166

Ordered, That the said Messages be taken into consideration on *Monday* next.

AGRICULTURAL LABOURERS (IRELAND)—RESOLUTION—

*Moved* to resolve, "That in the opinion of this House it is desirable to legislate on behalf of agricultural labourers in Ireland as soon as the condition of the country permits such legislation,"—(*The Earl of Dunraven*) .. .. .. 167

After debate, Motion (by leave of the House) *withdrawn.*

ARMY (AUXILIARY FORCES)—MILITIA CLOTHING—Question, Observations, The Earl of Limerick; Reply, The Earl of Morley .. .. 187

ARREARS OF RENT (IRELAND) ACT, 1882—Question, Observations, The Marquess of Waterford, The Earl of Belmore, Lord Ventry; Reply, Lord Carlingford .. .. .. .. .. 187

EDUCATION DEPARTMENT—THE NEW CODE—Question, Observations, Lord Norton; Reply, Lord Carlingford; Observations, Earl Fortescue .. 189

**Stage Plays in Aid of Charities Bill** [H.L.]—*Presented* (*The Earl of Onslow*); read 1ª (No. 32) .. .. .. .. .. 190

[7.0.]

## COMMONS, FRIDAY, APRIL 13.

Page

## QUESTIONS.

PARKS (METROPOLIS)—THE MOUNDS IN THE GREEN PARK—Questions, Mr. Dixon-Hartland, Mr. Schreiber, Lord John Manners; Answers, Mr. Shaw Lefevre .. .. .. .. .. 191
LAW AND JUSTICE (IRELAND)—TRIAL OF JOSEPH BRADY FOR MURDER—Questions, Mr. O'Brien, Mr. Parnell, Mr. Dawson; Answers, Mr. Trevelyan .. .. .. .. .. 192
POOR LAW ELECTIONS (IRELAND)—Question, Mr. O'Brien; Answer, Mr. Trevelyan .. .. .. .. .. 194
DUCHY OF LANCASTER—SALES OF LAND—Questions, Mr. Dillwyn, Mr. Rylands; Answers, Mr. Dodson .. .. .. 195
INDIAN PUBLIC WORKS—THE LOAN—Questions, Mr. R. N. Fowler, Mr. Dawson; Answers, Mr. J. K. Cross .. .. .. 195
DUCHY OF LANCASTER—ESTUARY OF THE MERSEY—FORESHORES—THE CORPORATION OF SOUTHPORT—Questions, Mr. Summers, Sir R. Assheton Cross; Answers, Mr. Dodson .. .. .. 196
ARMY—COMPASSIONATE ALLOWANCES—CAPTAIN WARDELL—Question, Captain Price; Answer, Mr. Campbell-Bannerman .. .. 197
NAVY—PURCHASE OF CLOTH—Question, Captain Price; Answer, Mr. Campbell-Bannerman .. .. .. .. 198
THE ANGLICAN BISHOPRIC OF JERUSALEM—Question, Mr. Raikes; Answer, Mr. Gladstone .. .. .. .. 199
THE MAGISTRACY (IRELAND)—Question, Mr. M'Coan; Answer, Mr. Trevelyan .. .. .. .. .. 200
PARLIAMENT—ORDER OF BUSINESS—Question, Mr. Heneage; Answer, Mr. Gladstone .. .. .. .. .. 200

---

BARON ALCESTER—BARON WOLSELEY OF CAIRO—
Messages from the Queen *brought up*, and read by Mr. Speaker .. 200
*Moved*, "That the House will, on Monday next, resolve itself into the said Committee,"—(*Mr. Gladstone.*)
Motion *agreed to*:—Question, Mr. Labouchere; Answer, Mr. Gladstone.

## ORDER OF THE DAY.

SOUTH AFRICA—THE TRANSVAAL—POLICY OF HER MAJESTY'S GOVERNMENT—RESOLUTION—[Adjourned Debate.] [Third Night]—
Order read, for resuming Adjourned Debate on Amendment proposed to Question [13th March],
"That, in view of the complicity of the Transvaal Government in the cruel and treacherous attacks made upon the Chiefs Montsioa and Mankoroane, this House is of opinion that energetic steps should be immediately taken to secure the strict observance by the Transvaal Government of the Convention of 1881, so that these chiefs may be preserved from the destruction with which they are threatened,"—(*Mr. Gorst.*)
And which Amendment was,
To leave out from the first word "the" to the end of the Question, in order to add the words "very grave complication that must attend intervention in the affairs of the native populations on the Western Frontier of the Transvaal, this House is of opinion that the action of British authorities in those regions should be strictly confined within the limits of absolutely unavoidable obligations,"—(*Mr. Cartwright,*) instead thereof.
Question again proposed, "That the words proposed to be left out stand part of the Question:"—Debate *resumed* .. .. .. 202
After short debate, Question put, "That the Amendment, by leave, be *withdrawn*:"—After further long debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. W. Fowler*:)—Motion *agreed to*:—Debate *further adjourned* till *Monday* next.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

## *MOTIONS.*

**Local Government Provisional Orders Bill**—*Ordered* (*Mr. Hibbert, Sir Charles Dilke*); *presented,* and read the first time [Bill 142] .. .. .. 259

**Local Government Provisional Orders (No. 2) Bill**—*Ordered* (*Mr. Hibbert, Sir Charles Dilke*); *presented,* and read the first time [Bill 143] .. .. 259

## *ORDER OF THE DAY.*

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE MARRIAGE LAWS—Resolution, Mr. Monk .. .. 260

[House counted out.] [9.15.]

## LORDS, MONDAY, APRIL 16.

LORDS ALCESTER AND WOLSELEY—MESSAGES FROM THE QUEEN—MOTION FOR AN ADDRESS—

*Moved,* "That an humble Address be presented to Her Majesty, to thank Her Majesty for the gracious Message, and to inform Her Majesty that, taking into consideration the important services rendered by Frederick Beauchamp Paget Lord Alcester, Admiral in Her Majesty's Navy, in the course of the recent expedition to Egypt, and that Her Majesty is desirous to confer some signal mark of Her favour for those distinguished services, this House will cheerfully concur in enabling Her Majesty to make provision for securing to the said Frederick Beauchamp Paget Lord Alcester, and to the next surviving heir male of his body, a pension of Two Thousand pounds per annum,"—(*The Earl Granville*).. .. .. .. .. 261

After short debate, Motion *agreed to.*

*Moved,* "That an humble Address be presented to Her Majesty, to thank Her Majesty for the gracious Message, and to inform Her Majesty that, taking into consideration the important services rendered by Garnet Joseph Lord Wolseley of Cairo, General in Her Majesty's Army, in the course of the recent expedition to Egypt, and that Her Majesty is desirous to confer some signal mark of Her favour for those distinguished services, this House will cheerfully concur in enabling Her Majesty to make provision for securing to the said Garnet Joseph Lord Wolseley of Cairo, and to the next surviving heir male of his body, a pension of Two Thousand pounds per annum,"—(*The Earl Granville.*)

Motion *agreed to.*

NAVY—NAVAL LIEUTENANTS—RESOLUTION—

*Moved* to resolve, "That in the opinion of this House the rates of full pay of naval lieutenants and sub-lieutenants should be assimilated to that of officers holding relative rank in the Army; the half-pay of naval lieutenants and sub-lieutenants should be in all cases the actual half of the full pay, except when length of service entitles them to a higher scale,"—(*The Earl of Belmore*) .. .. .. 263

After short debate, Motion (by leave of the House) *withdrawn.*

NAVY—APPOINTMENT OF FIRST LIEUTENANTS—Question, Observations, The Earl of Sandwich; Reply, Lord Alcester; Observations, Lord Elphinstone .. .. .. .. .. 271

CONTAGIOUS DISEASES (ANIMALS) ACTS—FOOT-AND-MOUTH DISEASE—MOTION FOR CORRESPONDENCE—

*Moved,* "That an humble Address be presented to Her Majesty for any correspondence with Foreign Governments on the subject of the continued importation of foot and mouth disease from abroad,"—(*The Duke of Richmond and Gordon*) .. .. 273

After debate, Motion *agreed to.*

**Army (Annual) Bill** (No. 25)—
*Moved*, "That the Bill be now read 3ª,"—(*The Earl of Morley*) .. 293
After short debate, Motion *agreed to*:—Bill read 3ª accordingly, and *passed*. [8.0.]

## COMMONS, MONDAY, APRIL 16.

## *PRIVATE BUSINESS.*

PARLIAMENT—GRAND COMMITTEES AND PRIVATE BILL COMMITTEES—RAILWAY BILLS (GROUP 6)—REPORT—
Report received from the Committee on Group 6 of Railway Bills; That, for the convenience of the parties, the Committee had adjourned till Wednesday next, at Twelve of the clock .. .. .. 294
After short debate, Report to lie upon the Table.

## *QUESTIONS.*

EGYPT—RELIGIOUS CEREMONIES AT CAIRO—THE "HOLY CARPET"—ATTENDANCE OF BRITISH TROOPS—Question, Mr. R. N. Fowler; Answer, The Marquess of Hartington .. .. .. .. 295
ARMY—HEAVY RIFLED GUNS—MR. LYNAL THOMAS—Question, Mr. Macfarlane; Answer, The Marquess of Hartington .. .. 295
ARTIZANS' AND LABOURERS' DWELLINGS ACT, 1882—Questions, Sir R. Assheton Cross; Answers, Sir William Harcourt .. .. 295
LAW AND POLICE—DYNAMITE AND EXPLOSIVE MATERIALS—REWARDS TO OFFICERS—Questions, Mr. Salt, Mr. Joseph Cowen; Answers, Sir William Harcourt .. .. .. .. 296
GIBRALTAR—THE MARITIME JURISDICTION—THE PAPERS—Question, Sir H. Drummond Wolff; Answer, Lord Edmond Fitzmaurice .. 297
SCOTLAND—THE GLENDALE CROFTERS—Question, Mr. Macfarlane; Answer, Sir William Harcourt .. .. .. .. 297
METROPOLITAN CARRIAGE ACTS—THE CAB RADIUS—Question, Mr. Macfarlane; Answer, Sir William Harcourt .. .. .. 298
EGYPT (MILITARY EXPEDITION)—PURCHASE OF MULES—Questions, Dr. Cameron; Answers, Sir Arthur Hayter .. .. .. 298
LOCOMOTIVES ON HIGHWAYS ACT—TRACTION ENGINES—FURTHER LEGISLATION—Question, Mr. Stuart-Wortley; Answer, Mr. Hibbert .. 299
POST OFFICE—THE PARCELS POST—Questions, Mr. Stuart-Wortley, Mr. Pickering Phipps; Answers, Mr. Fawcett .. .. 299
MERCANTILE MARINE—CLASSIFICATION OF MERCHANT VESSELS—Question, Mr. Fraser-Mackintosh; Answer, Mr. Chamberlain .. .. 300
SCOTLAND—THE KEEPER OF THE REGISTER OF SASINES—Question, Mr. Fraser-Mackintosh; Answer, The Lord Advocate .. .. 301
NAVY—NAVAL STORES—ENGINES AND BOILERS SUPPLIED BY PRIVATE FIRMS—GUARANTEE—Question, Mr. Fraser-Mackintosh; Answer, Mr. Campbell-Bannerman .. .. .. .. 302
NAVY—VICTUALLING, &C.—SEAMEN'S RATIONS—Question, Captain Price; Answer, Mr. Campbell-Bannerman .. .. .. 302
INLAND REVENUE—COLLECTION OF THE INCOME TAX—Question, Mr. J. G. Hubbard; Answer, The Chancellor of the Exchequer .. .. 303
ARMY—UNDRESS UNIFORM OF THE INFANTRY—Questions, Sir Henry Fletcher, Mr. Onslow, Sir Walter B. Barttelot; Answers, The Marquess of Hartington .. .. .. .. .. 304
ARMY—CHELSEA AND KILMAINHAM HOSPITALS—REPORT OF THE COMMITTEE—Question, Sir Henry Fletcher; Answer, The Marquess of Hartington 305

[*April* 16.] Page

Post Office—Rural Post Offices—Question, Mr. Macfarlane; Answer, Mr. Fawcett .. .. .. .. .. 305

Navy—Warrant Officers—Questions, Sir H. Drummond Wolff, Mr. Puleston; Answers, Mr. Campbell-Bannerman .. .. 305

Madagascar—The Envoys—Questions, Mr. Cropper, Sir Harry Verney; Answers, Lord Edmond Fitzmaurice .. .. .. 306

Lunatic Asylums (Ireland)—Postmortem Examinations—Question, Mr. Blake; Answer, Mr. Trevelyan .. .. .. 307

Poor Law (Ireland)—Belfast Workhouse—Question, Mr. Biggar; Answer, Mr. Trevelyan .. .. .. .. 308

The Irish Land Commission — The Sub-Commissioners—Lieutenant-Colonel Davys—Question, Mr. Biggar; Answer, Mr. Trevelyan .. 308

National Education (Ireland)—Model Schools—Questions, Mr. Biggar, Mr. Arthur O'Connor, Mr. T. P. O'Connor; Answers, Mr. Trevelyan.. 309

Army—The Army and the Militia — Numbers — Questions, Colonel Makins, Lord Eustace Cecil, Sir Henry Fletcher; Answers, The Marquess of Hartington .. .. .. .. 310

Gibraltar—Religious Dissensions — Dr. Canilla—Questions, Sir H. Drummond Wolff; Answers, Mr. Evelyn Ashley .. .. 311

Channel Tunnel—The Joint Committee—Question, Captain Aylmer; Answer, Mr. Chamberlain .. .. .. .. 312

Prevention of Crime (Ireland) Act, 1882, Sec. 16—Private Examination of Witnesses—Untried Prisoners—Questions, Mr. Parnell; Answers, Mr. Trevelyan, Sir William Harcourt .. .. 312

Ways and Means—The Financial Proposals—Duty on Silver Plate—Question, Sir Joseph Pease; Answer, The Chancellor of the Exchequer .. .. .. .. .. 314

Army — Veterinary Department — Retired Pay—Question, Colonel O'Beirne; Answer, Sir Arthur Hayter .. .. .. 315

Post Office (Savings Bank Department)—Appointment of Controller—Question, Mr. Kennard; Answer, Mr. Fawcett .. .. 315

Treaty of Berlin—The Tribute of Bulgaria—Question, Mr. Bourke; Answer, Lord Edmond Fitzmaurice .. .. .. 316

Ways and Means—The Financial Proposals—The Railway Passenger Duty—Question, Mr. Buxton; Answer, The Chancellor of the Exchequer .. .. .. .. .. 316

The Irish Land Commission—Appeals from the King's County—Question, Mr. Molloy; Answer, Mr. Trevelyan .. .. 316

Parliamentary Franchises—Foreign Countries—Questions, Mr. Buxton, Mr. Brodrick; Answers, Lord Edmond Fitzmaurice .. .. 317

Inland Navigation and Drainage (Ireland)—The Upper Shannon—Questions, Mr. O'Shaughnessy, Mr. Gabbett; Answers, Mr. Courtney 318

Law and Police—Special Preventive Police—Question, Mr. Stanley Leighton; Answer, Sir William Harcourt .. .. 318

Metropolis—Water Supply—Question, Mr. Firth; Answer, Sir Charles W. Dilke .. .. .. .. .. 318

Parliamentary Oath (Mr. Bradlaugh)—Questions, Sir H. Drummond Wolff, Mr. Newdegate, Sir William Hart Dyke, Lord Randolph Churchill; Answers, Mr. Gladstone .. .. .. 319

Afghanistan—Sir Lepel Griffin's "Liberal Policy in Afghanistan"—Question, Mr. Dixon-Hartland; Answer, Mr. Gladstone .. 322

Spain—Expulsion of certain Cuban Refugees from Gibraltar—The Debate—Question, Sir R. Assheton Cross; Answer, Mr. Gladstone .. 323

Parliament—Public Business—The Transvaal Debate—Question, Sir Stafford Northcote; Answer, Mr. Gladstone .. .. 323

Western Islands of the Pacific—Australian Colonies—Annexation of New Guinea by Queensland—Questions, Sir John Hay, Sir George Campbell; Answers, Mr. Evelyn Ashley .. .. 324

[*April* 16.] *Page*

Post Office (Contracts)—The Irish Mail Service—Question, Dr. Lyons; Answer, The Chancellor of the Exchequer .. .. 325

Parliament—Palace of Westminster—The Statues in Westminster Hall—Notice, Mr. Bromley Davenport .. .. .. 325

Ways and Means—The Financial Proposals—Gun Licences—Duty on Silver Plate—Questions, Mr. Monk, Sir Stafford Northcote, Mr. W. H. Smith; Answers, The Chancellor of the Exchequer .. .. 325

Afghanistan—Sir Lepel Griffin—Question, Mr. Onslow; Answer, Mr. Gladstone .. .. .. .. .. 326

Parliamentary Elections (Corrupt and Illegal Practices) Bill—Question, Mr. Lewis; Answer, Mr. Gladstone .. .. 326

## *ORDERS OF THE DAY.*

Lords Alcester and Wolseley—Messages from the Queen—

Baron Alcester, Message from Her Majesty [13th April],—*considered* in Committee:—Message from Her Majesty read .. .. 327

*Moved,* "That the annual sum of Two Thousand Pounds be granted to Her Majesty out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to be settled upon Admiral Frederick Beauchamp Paget, Lord Alcester, and the next surviving Heir Male of his body, for the term of their natural lives,"—(*Mr. Gladstone.*)

After short debate, Question put, and *agreed to*:—Resolution to be reported *To-morrow.*

Baron Wolseley of Cairo, Message from Her Majesty [13th April],—*considered* in Committee:—Message from Her Majesty read .. 328

*Moved,* "That the annual sum of Two Thousand Pounds be granted to Her Majesty out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to be settled upon General Garnet Joseph, Lord Wolseley, and the next surviving Heir Male of his body, for the term of their natural lives,"—(*Mr. Gladstone.*)

After short debate, Question put, and *agreed to*:—Resolution to be reported *To-morrow.*

**Criminal Code (Indictable Offences Procedure) Bill** [Bill 8]—

Order read, for resuming Adjourned Debate on Question [12th April], "That the Bill be committed to the Standing Committee on Law, and Courts of Justice, and Legal Procedure,"—(*Mr. Attorney General:*)—Question again proposed:—Debate *resumed* .. .. 332

Amendment proposed, to leave out from the word "committed" to the end of the Question, in order to add the words "a Committee of the whole House,"—(*Mr. T. P. O'Connor.*)

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 98, Noes 27; Majority 71.—(Div. List, No. 59.)

Main Question put, and *agreed to*:—Bill *committed* to the Standing Committee on Law, and Courts of Justice, and Legal Procedure.

*Moved,* "That it be an Instruction to the said Committee that they have power to consolidate the said Bills into one Bill,"—(*Mr. Attorney General*) .. .. 347

After short debate, Question put:—The House *divided;* Ayes 67, Noes 17; Majority 50.—(Div. List, No. 60.)

**Patents for Inventions Bill** [Bill 3]—

*Moved,* "That the Bill be now read a second time,"—(*Mr. Chamberlain*) .. 349

After long debate, Question put, and *agreed to*:—Bill read a second time.

*Moved,* "That the Bill be committed to the Standing Committee on Trade, Shipping, and Manufactures,"—(*Mr. Chamberlain*) .. .. 388

After short debate, Question put, and *agreed to.*

[*April* 16.] Page

**Prevention of Crime (Ireland) Act (1882) (Audience of Solicitors) Bill** [Bill 61]
Order for Committee read :—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Findlater*) .. .. .. .. 394
*Moved,* "That the Debate be now adjourned,"—(*Lord Randolph Churchill:*) —Question put, and *negatived.*
Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*
Bill *considered* in Committee :—After short time spent therein, Bill *reported,* without Amendment; to be read the third time *To-morrow.*

**Crown Lands Bill**—
Bill referred to a Select Committee of Five Members, Three to be nominated by the House, and Two by the Committee of Selection .. .. .. 398

COURT OF CRIMINAL APPEAL [PAYMENT OF COSTS]—
*Considered* in Committee .. .. .. .. 398
Resolution *agreed to;* to be reported *To-morrow.*

## *MOTIONS.*

CHANNEL TUNNEL—THE JOINT COMMITTEE—RESOLUTION—
*Moved,* "That the Five Members of this House to be appointed to serve on the Joint Committee of Lords and Commons on the Channel Tunnel be nominated by the Committee of Selection,"—(*Mr. Chamberlain*) .. .. .. 399
After short debate, Question put, and *agreed to.*

**Drainage (Ireland) Provisional Orders Bill**—*Ordered* (*Mr. Courtney, Mr. Trevelyan*); *presented,* and read the first time [Bill 144] .. .. .. 400
[1.30.]

## LORDS, TUESDAY, APRIL 17.

ARMY (INDIA)—SURGEON-MAJOR THORBURN—Question, Observations, Lord Truro, Lord Stanley of Alderley; Questions, The Duke of Richmond and Gordon, The Marquess of Salisbury; Reply, The Earl of Morley 400
METROPOLIS—ST. JAMES'S PARK—Question, The Earl of Belmore; Answer, Lord Sudeley .. .. .. .. .. 411
FRANCE AND ANNAM (TONQUIN)—Question, Observations, Lord Harris; Reply, Earl Granville .. .. .. .. 411
THE ROYAL IRISH CONSTABULARY—REPORT OF THE COMMITTEE OF INQUIRY —Question, Observations, The Earl of Milltown; Reply, Lord Carlingford; Observations, Earl Cowper .. .. .. 414

**Bills of Sale (Ireland) Act (1879) Amendment Bill** (No. 29)—
House in Committee (according to Order) .. .. .. 416
Bill *reported* without Amendment; and to be read 3ª on *Thursday* next.
[9.15.]

## COMMONS, TUESDAY, APRIL 17.

## *QUESTIONS.*

ARMY (INDIA) — GLANDERS IN THE BENGAL CAVALRY — Question, Dr. Cameron; Answer, Mr. J. K. Cross .. .. .. 417
MOROCCO—SALES OF SLAVES AT TANGIER—Question, Mr. Whitworth; Answer, Lord Edmond Fitzmaurice .. .. .. 418

[*April* 17.] Page

POOR LAW (IRELAND)—BANTRY—ELECTION OF GUARDIANS—Questions, Lord Elcho, Mr. Tottenham, Lord Arthur Hill, Colonel Colthurst, Mr. O'Brien, Mr. T. D. Sullivan, Mr. Sexton; Answers, Mr. Trevelyan .. 418

THE IRISH LAND COMMISSION—PAYMENTS UNDER THE ARREARS ACT—Question, Mr. O'Connor Power; Answer, Mr. Trevelyan .. 422

PREVENTION OF CRIME (IRELAND) ACT, 1882—SEARCHES—Question, Mr. O'Connor Power; Answer, Mr. Trevelyan .. .. 422

STATE OF IRELAND—DISTRESS IN DONEGAL—Questions, Mr. O'Brien, Mr. Sexton; Answers, Mr. Trevelyan .. .. .. 423

NATIONAL EDUCATION (IRELAND)—TRAINING OF TEACHERS—Question, Lord Arthur Hill; Answer, Mr. Trevelyan .. .. .. 423

LAW AND JUSTICE (SCOTLAND)—THE SHERIFF CLERK OF FORFARSHIRE—Question, Sir R. Assheton Cross; Answer, The Lord Advocate .. 424

ARMY—FIRST CLASS RESERVE MEN—Question, Lord Eustace Cecil; Answer, Sir Arthur Hayter .. .. .. .. 425

CONTAGIOUS DISEASES ACTS—Question, Mr. Tottenham; Answer, Sir Arthur Hayter .. .. .. .. .. 425

NAVY PENSIONS—Question, Admiral Egerton; Answer, Mr. Campbell-Bannerman .. .. .. .. .. 425

THE HOUSE OF COMMONS—THE ELECTRIC LIGHT—Questions, Lord Randolph Churchill, Viscount Folkestone; Answers, Mr. Shaw Lefevre; Question, Mr. R. N. Fowler; [No reply] .. .. .. 426

PARLIAMENTARY OATHS ACT, 1866—Question, Sir William Hart Dyke; Answer, Mr. Gladstone .. .. .. .. 427

PARLIAMENTARY OATH (MR. BRADLAUGH)—Observations, Question, Mr. Newdegate; Reply, Mr. Gladstone; Questions, Lord Randolph Churchill, Sir H. Drummond Wolff, Mr. Newdegate; Answers, Mr. Gladstone, The Attorney General .. .. .. 428

THE ROYAL IRISH CONSTABULARY—REPORT, &C.—Question, Dr. Lyons; Answer, Mr. Trevelyan .. .. .. .. 433

PARLIAMENT—BUSINESS OF THE HOUSE—STANDING COMMITTEES AND PRIVATE BILL COMMITTEES—Question, Mr. Heneage; Answer, Sir John R. Mowbray; Question, Mr. Dodds; [No reply] .. .. 434

CRIME (IRELAND)—THE ASSASSINATIONS IN THE PHŒNIX PARK, DUBLIN—EXTRADITION OF "No. 1"—Question, Sir Herbert Maxwell; Answer, Lord Edmond Fitzmaurice .. .. .. .. 435

PARLIAMENTARY OATHS ACT (1866) AMENDMENT BILL—Question, Lord Randolph Churchill; Answer, Mr. Gladstone .. .. 436

LAW AND JUSTICE—EXCESSIVE SENTENCES—Question, Mr. P. A. Taylor; Answer, Sir William Harcourt .. .. .. 436

---

PARLIAMENT—COMMITTEE OF SELECTION (SPECIAL REPORT)—

Standing Committee on Law (Criminal Code (Indictable Offences Procedure) Bill), Members *added* .. .. .. 436

PARLIAMENT—COMMITTEE OF SELECTION (SPECIAL REPORT)—

Joint Committee of Lords and Commons on the Channel Tunnel—Members *nominated* .. .. .. .. 437

## *MOTIONS.*

LOCAL TAXATION—RESOLUTION—

*Moved,* "That no further delay should be allowed in granting adequate relief to ratepayers in Counties and Boroughs in respect of National services required of Local Authorities,"—(*Mr. Pell*) .. .. .. .. 437

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, recognising the connection which must exist between the Reform

Local Taxation—Resolution—continued.

of Local Taxation and that of Local Government, is of opinion that the relief granted to ratepayers in Counties and Boroughs should be by the transfer to Local Authorities of the Revenue proceeding from particular Taxes or portions of Taxes, and that a measure dealing with the whole question of local taxation and of local government is most urgently required,"—(*Mr. Albert Grey,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put:—The House *divided;* Ayes 217, Noes 229; Majority 12.

Division List, Ayes and Noes .. .. .. 525

Words *added:*—Main Question, as amended, put, and *agreed to.*

**Lord Alcester's Annuity Bill**—Message from Her Majesty [13th April]:—Resolution *reported*, and *agreed to:*—Bill *ordered* (*Sir Arthur Otway, Mr. Chancellor of the Exchequer, Mr. Gladstone*); *presented*, and read the first time [Bill 145] .. .. 528

**Lord Wolseley's Annuity Bill**—Message from Her Majesty [13th April]:—Resolution *reported*, and *agreed to:*—Bill *ordered* (*Sir Arthur Otway, Mr. Chancellor of the Exchequer, Mr. Gladstone*); *presented*, and read the first time [Bill 146] .. .. 529

[2.0.]

## COMMONS, WEDNESDAY, APRIL 18.

## *ORDERS OF THE DAY.*

**Parochial Boards (Scotland) Bill** [Bill 12]—

*Moved*, "That the Bill be now read a second time,"—(*Dr. Cameron*) .. 529

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Sir Herbert Maxwell.*)

Question proposed, "That the word 'now' stand part of the Question:"—After long debate, Question put:—The House *divided;* Ayes 107, Noes 103; Majority 4.—(Div. List, No. 63.)

Main Question put:—The House *divided;* Ayes 91, Noes 83; Majority 8.—(Div. List, No. 64:)—Bill read a second time, and *committed* for *Wednesday* next.

**Partnerships Bill** [Bill 40]—

*Moved*, "That the Bill be now read a second time."—(*Mr. Serjeant Simon*) 585

It being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

Patents for Inventions [Salaries and Expenses]—

*Considered* in Committee .. .. .. .. 585

Resolution *agreed to;* to be reported *To-morrow.*

[5.50.]

## LORDS, THURSDAY, APRIL 19.

**Medical Act Amendment Bill** (No. 16)—

House in Committee (according to Order) .. .. .. 586

Amendments made:—The Report thereof to be received on *Thursday* next, and Bill to be *printed*, as amended. (No. 36.)

Channel Tunnel—The Joint Committee—

Joint Committee with the House of Commons on:—Peers *nominated* .. .. 603

[7.30.]

## COMMONS, THURSDAY, APRIL 19.

Page

## QUESTIONS.

MADAGASCAR—DUTIES ON RUM—Question, Mr. Buxton; Answer, Lord Edmond Fitzmaurice .. .. .. .. 603

EDUCATION DEPARTMENT—DOUBLE FEES—BRIDGNORTH UNION—Question, Mr. H. H. Fowler; Answer, Mr. Mundella .. .. 604

ENDOWED SCHOOLS ACTS—THE CHARITY COMMISSIONERS—Question, Mr. Buchanan; Answer, Mr. Mundella .. .. .. 605

SCOTLAND—THE EXTRACTOR'S OFFICE — THE "REGISTER OF ACTS AND DECREETS, 1880" — Question, Dr. Cameron; Answer, The Lord Advocate .. .. .. .. .. 606

THE IRISH LAND COMMISSION (SUB-COMMISSIONERS)—COLONEL BAYLEY—Question, Captain Aylmer; Answer, Mr. Trevelyan .. .. 607

EXECUTIVE GOVERNMENT (IRELAND)—THE OFFICE OF LAW ADVISER—Questions, Mr. Patrick Martin; Answers, Mr. Trevelyan .. .. 608

AFRICA (RIVER CONGO)—ACTION OF PORTUGAL—Question, Baron Henry De Worms; Answer, Lord Edmond Fitzmaurice .. .. 608

MERCHANT SHIPPING—LOAD-LINE OF SHIPS—Question, Mr. Gourley; Answer, Mr. Chamberlain .. .. .. .. 609

POST OFFICE (TELEGRAPH DEPARTMENT)—TELEGRAPH MESSENGERS—Question, Mr. T. D. Sullivan; Answer, Mr. Fawcett .. .. 611

AFRICA (WEST COAST)—ASHANTI—Question, Sir Henry Holland; Answer, Mr. Evelyn Ashley .. .. .. .. 611

PARLIAMENT—PALACE OF WESTMINSTER—THE STATUES IN WESTMINSTER HALL—Question, Mr. Bromley-Davenport; Answer, Mr. Shaw Lefevre 611

INDIA—VACCINATION—Question, Mr. P. A. Taylor; Answer, Mr. J. K. Cross .. .. .. .. .. 611

THE NAVAL PENSIONS COMMITTEE—Question, Mr. W. H. Smith; Answer, Mr. Campbell-Bannerman .. .. .. .. 611

MINES REGULATION—EMPLOYERS' LIABILITY ACT — Question, Mr. Burt; Answer, Sir William Harcourt .. .. .. 612

POOR LAW (IRELAND)—BELFAST WORKHOUSE—APPOINTMENT OF A CHAPLAIN—Question, Lord Arthur Hill; Answer, Mr. Trevelyan .. .. 613

METROPOLITAN DISTRICT RAILWAY—THE VENTILATORS ON THE VICTORIA EMBANKMENT—Question, Lord Algernon Percy; Answer, Sir James M'Garel-Hogg .. .. .. .. 613

PREVENTION OF CRIME (IRELAND) ACT, 1882—SECTION 16—PRIVATE EXAMINATION OF WITNESSES—RETURN OF PERSONS CONFINED FOR REFUSING TO GIVE EVIDENCE—Questions, Mr. O'Brien; Answers, Mr. Trevelyan .. 614

STATE OF IRELAND—EXTRA POLICE, CO. CLARE—Question, Mr. O'Brien; Answer, Mr. Trevelyan .. .. .. .. 615

PREVENTION OF CRIME (IRELAND) ACT, 1882—SECTION 14—SEIZURE OF DOCUMENTS—Question, Mr. O'Brien; Answer, Mr. Trevelyan .. 616

PREVENTION OF CRIME (IRELAND) ACT, 1882—DEFENCE OF PRISONERS—COLLECTION OF VOLUNTARY SUBSCRIPTIONS—Questions, Mr. T. P. O'Connor, Mr. Biggar; Answers, Mr. Trevelyan .. .. 617

LAW AND JUSTICE—ALLEGED LARCENY BY A "TUTOR"—Question, Mr. M'Coan; Answer, Sir William Harcourt .. .. .. 618

ARMY—THE LATE CAMPAIGN IN THE TRANSVAAL—RECOGNITION OF MILITARY SERVICES—Question, Sir Henry Fletcher; Answer, The Marquess of Hartington .. .. .. .. 619

BRAZIL—CHINESE COOLIES—Question, Mr. Cropper; Answer, Lord Edmond Fitzmaurice .. .. .. .. .. 620

LAW AND JUSTICE (IRELAND)—THE GREEN STREET COURT HOUSE—ARRANGEMENTS FOR THE MURDER TRIALS—Questions, Mr. O'Brien; Answers, Mr. Trevelyan .. .. .. .. 620

[*April* 19.] Page

CRIME (IRELAND)—THE MURDER CONSPIRACY—THE ALLEGED "No. 1"—Question, Sir Herbert Maxwell; Answer, Sir William Harcourt .. 621

THE UNITED KINGDOM—CULTIVATION OF TOBACCO FOR SALE BY FARMERS—Question, Lord John Manners; Answer, The Chancellor of the Exchequer .. .. .. .. .. 621

INLAND REVENUE—THE COLLECTION OF INCOME TAX—Question, Mr. W. H. James; Answer, The Chancellor of the Exchequer .. .. 622

LAW AND POLICE (IRELAND)—MR. GILLOOLY—IMPRISONMENT FOR PUBLIC SPEECH—Question, Mr. T. D. Sullivan; Answer, Mr. Trevelyan .. 622

MEDICAL APPOINTMENTS (IRELAND)—Question, Mr. Sexton; Answer, Mr. Trevelyan .. .. .. .. .. 623

PREVENTION OF CRIME (IRELAND) ACT, 1882—SECTION 14—SEIZURE OF DOCUMENTS—Question, Mr. Sexton; Answer, Mr. Trevelyan .. 624

LAW AND POLICE (IRELAND)—COST OF CONVEYING PRISONERS—Question, Colonel Colthurst; Answer, Mr. Trevelyan .. .. 625

INDIA—RIOTS AT SALEM, MADRAS—Question, Mr. O'Donnell; Answer, Mr. J. K. Cross .. .. .. .. .. 625

WESTERN ISLANDS OF THE PACIFIC—AUSTRALIAN COLONIES—ANNEXATION OF NEW GUINEA BY QUEENSLAND—Question, Sir George Campbell; Answer, Mr. Evelyn Ashley; Question, Mr. O'Donnell; [No reply] .. 626

AFRICA (WEST COAST)—SIERRA LEONE—ANNEXATION OF NEIGHBOURING TERRITORY—Questions, Sir George Campbell, Mr. W. H. Smith; Answers, Mr. Evelyn Ashley .. .. .. .. 627

AFRICA (WEST COAST)—RECALL OF COMMANDANT WALL, OF SHERBRO—THE CORRESPONDENCE—Question, Mr. R. N. Fowler; Answer, Mr. Evelyn Ashley .. .. .. .. .. 628

CRIMINAL PROCEDURE—EVIDENCE OF ACCUSED PERSONS—Question, Mr. Warton; Answer, The Attorney General .. .. .. 628

COMPENSATION FOR AGRICULTURAL IMPROVEMENTS—LEGISLATION—Questions, Mr. Duckham, Mr. O'Donnell; Answers, Mr. Gladstone .. 629

THE ANNUITIES TO LORD ALCESTER AND LORD WOLSELEY—Question, Mr. Arthur Arnold; Answer, Mr. Gladstone .. .. .. 629

LOCAL TAXATION—Question, Mr. Brodrick; Answer, Mr. Gladstone .. 630

PORTUGAL—ANGOLA—Question, Lord George Hamilton; Answer, Lord Edmond Fitzmaurice .. .. .. .. 630

PARLIAMENT—STATE OF PUBLIC BUSINESS—TUESDAYS AND FRIDAYS—Questions, Mr. Carbutt, Lord Henry Lennox; Answers, Mr. Gladstone; Question, Sir Stafford Northcote; Answer, Mr. Gorst; Questions, Sir Stafford Northcote, Lord Randolph Churchill; Answers, Mr. Gladstone 631

## *ORDERS OF THE DAY.*

**Lord Alcester's Annuity Bill** [Bill 145]—

*Moved*, "That the Bill be now read a second time,"—(*Mr. Gladstone*) .. 633

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the services of Lord Alcester during our Naval operations in Egypt were not of such a character as to satisfy this House as to the desirability of assenting to the proposal submitted to it in this Bill,"—(*Mr. Labouchere*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put:—The House *divided*; Ayes 209, Noes 77; Majority 132.—(Div. List, No. 65.)

Main Question, "That the Bill be now read a second time," again proposed .. .. .. .. .. 686

After short debate, Main Question put:—The House *divided*; Ayes 217, Noes 85; Majority 132.—(Div. List, No. 66.)

Bill read a second time, and *committed* for *To-morrow*.

[*April* 19.] Page

**Lord Wolseley's Annuity Bill** [Bill 146]—
*Moved*, "That the Bill be now read a second time,"—(*Mr. Gladstone*) .. 690
Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the services of Lord Wolseley during our Military operations in Egypt were not of such a character as to satisfy this House as to the desirability of assenting to the proposal submitted to it in this Bill,"—(*Mr. Broadhurst,*)—instead thereof.
Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 178, Noes 55; Majority 123.—(Div. List, No. 67.)
Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *To-morrow.*

---

**Pier and Harbour Provisional Orders Bill**—*Ordered* (*Mr. John Holms, Mr. Chamberlain*); *presented,* and read the first time [Bill 147] .. .. 718

Channel Tunnel—The Joint Committee—
Lords Message [19th April] considered—and Orders made thereon,—(*Mr. Chamberlain*) 718
[1.30.]

## LORDS, FRIDAY, APRIL 20.

Channel Tunnel—The Joint Committee—Message from the Commons .. 719

Central Asia—Russian Advance—Question, Viscount Cranbrook; Answer, Earl Granville .. .. .. .. 719

Private Bills—
*Moved* to *resolve* that the following be made a Standing Order:—
"In any case in which an infant is or may be interested in the consequences of an Estate Bill, the Chairman of Committees may, if he think fit, require that such infant shall be represented before the Committee on the Bill by a person to be appointed as or in the nature of a guardian or protector of such infant by the Lord Chancellor, or the Lord Keeper of the Great Seal by writing under his hand."
*Agreed to;* and the said resolution ordered to be added to the Roll of Standing Orders, to be numbered 163a, and to be *printed.* (No. 41.)

**Stage Plays in Aid of Charities Bill** (No. 32)—
*Moved*, "That the Bill be now read 2ª,"—(*The Earl of Onslow*) .. 720
After short debate, *Resolved* in the *Negative.*

Western Islands of the Pacific—Australian Colonies—Annexation of New Guinea by Queensland—Question, Observations, The Earl of Carnarvon; Reply, The Earl of Derby .. .. 724

Metropolitan District Railway—The Ventilators on the Victoria Embankment—Question, Observations, The Earl of Milltown; Reply, Lord Sudeley .. .. .. .. .. 731

Arrears of Rent (Ireland) Act, 1882—Applications for Loans—Question, Observations, The Marquess of Lansdowne; Reply, The Earl of Kimberley .. .. .. .. .. 733

The Parks (Metropolis)—St. James's Park—Question, The Earl of Belmore; Answer, Lord Sudeley .. .. .. 734

**Legitimacy Declaration Act, 1858, Amendment Bill** [H.L.]—*Presented* (*The Earl of Onslow*); read 1ª (No. 38) .. .. .. .. 734
[5.45.]

## COMMONS, FRIDAY, APRIL 20.

Page

PARLIAMENT—PUBLIC PETITIONS—

Special Report *brought up*, and read:—Report to lie upon the Table, and to be *printed*. [No. 134.] .. .. .. .. 735

Irregularities in respect of certain Petitions in favour of repealing the Contagious Diseases Acts.

## QUESTIONS.

POOR LAW (SCOTLAND) — EXCESSIVE LEGAL CHARGES UPON A PAUPER LUNATIC—Question, Dr. Cameron; Answer, The Lord Advocate .. 735

EVICTIONS (IRELAND)—CO. ROSCOMMON—Question, Mr. O'Kelly; Answer, Mr. Trevelyan .. .. .. .. 736

POOR LAW (SCOTLAND)—BOARDING OUT OF PAUPER LUNATICS—THE ISLAND OF ARRAN—Question, Mr. Buchanan; Answer, The Lord Advocate .. 737

HIGH COURT OF JUSTICE—ARREARS IN CHANCERY AND APPEAL — Question, Mr. H. H. Fowler; Answer, The Attorney General .. .. 738

LAW AND JUSTICE (ENGLAND AND WALES)—BUSINESS OF THE ASSIZES—Question, Mr. H. H. Fowler; Answer, The Attorney General .. 739

SCOTLAND—THE REGISTRAR GENERAL'S REPORT—Question, Dr. Cameron; Answer, The Lord Advocate.. .. .. .. 740

CRIMINAL LAW (IRELAND)—JOHN CASEY—Question, Mr. O'Brien; Answer, Mr. Trevelyan.. .. .. .. .. 741

POOR LAW (IRELAND) — THE FRANCHISE FOR THE ELECTION OF GUARDIANS —Question, Mr. O'Brien; Answer, Mr. Trevelyan .. .. 742

POOR LAW (IRELAND)—ELECTION OF GUARDIANS FOR THE CORK UNION—Question, Mr. O'Brien; Answer, Mr. Trevelyan .. .. 743

ARMY (AUXILIARY FORCES)—ALDERSHOT—Question, Mr. Tatton Egerton; Answer, The Marquess of Hartington .. .. .. 744

PREVENTION OF CRIME (IRELAND) ACT, 1882—SECTION 14—SEIZURE OF DOCUMENTS—Question, Mr. Sexton; Answer, Mr. Trevelyan .. 744

PREVENTION OF CRIME (IRELAND) ACT, 1882--DEFENCE OF PRISONERS—COLLECTION OF VOLUNTARY SUBSCRIPTIONS—Questions, Mr. Sexton, Mr. Parnell; Answers, Mr. Trevelyan .. .. .. 745

EXPLOSIVE SUBSTANCES ACT—SEC. 54—Question, Baron Henry De Worms; Answer, Mr. Chamberlain .. .. .. .. 746

ARMY (AUXILIARY FORCES)—MEDALS FOR VOLUNTEERS — Question, Mr. George Russell; Answer, The Marquess of Hartington.. .. 746

NAVY—GREENWICH HOSPITAL PENSIONS—Question, Sir Henry Fletcher; Answer, Sir Thomas Brassey .. .. 746

WESTERN ISLANDS OF THE PACIFIC—THE AUSTRALIAN COLONIES—ANNEXATION OF NEW GUINEA BY QUEENSLAND — Question, Sir George Campbell; Answer, Mr. Gladstone .. .. .. 747

PARLIAMENT—LORD WOLSELEY'S ANNUITY BILL—Question, Colonel Alexander; Answer, Mr. Speaker .. .. .. 748

PARLIAMENT—MONEY BILLS—THE HALF PAST TWELVE O'CLOCK RULE—PENSIONS TO LORD ALCESTER AND LORD WOLSELEY—Observations, Mr. Labouchere; Reply, Mr. Gladstone .. .. .. 749

## ORDERS OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

CONTAGIOUS DISEASES ACTS—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House disapproves of the compulsory examination of women under the Contagious Diseases Acts,"—(*Mr. Stansfeld*,)—instead thereof .. .. 749

Supply—Order for Committee read—*continued.*

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Gorst:*)—Motion, by leave, *withdrawn.*

After further short debate, Question put, "That the words proposed to be left out stand part of the Question:"—After further short debate, the House *divided;* Ayes 110, Noes 182; Majority 72.

Division List, Ayes and Noes .. .. .. 855

Words *added:*—Main Question, as amended, put, and *agreed to.*

*Resolved,* That this House disapproves of the compulsory examination of women under the Contagious Diseases Acts.

## QUESTIONS.

Parliament—Business of the House—Questions, Sir Stafford Northcote, Sir Wilfrid Lawson; Answers, The Marquess of Hartington .. 858

[1.15.]

## LORDS, MONDAY, APRIL 23.

Emigration (Ireland)—Resolution—

*Moved* to resolve, "That this House, while desiring to impress upon the Government the necessity of securing sufficient relief for the suffering population in certain parts of Ireland, is of opinion that a large scheme of emigration is desirable to prevent the recurrence of similar distress,"—(*The Earl of Dunraven*) .. .. 859

After debate, Motion (by leave of the House) *withdrawn.*

**Contempts of Courts Bill** (No. 15)—

House in Committee (according to Order) .. .. .. 886

Amendments made; the Report thereof to be received on *Friday* next; and Bill to be *printed* as amended. (No. 45.)

Parliament—House of Lords (Construction and Accommodation)—

Select Committee *nominated:*—List of the Committee .. .. .. 889

**Pluralities Acts Amendment Bill** [H.L.]—*Presented* (*The Lord Bishop of Rochester*); read 1ª (No. 42) .. .. .. .. .. 890

**Court of Chancery of Lancaster Bill** [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 43) .. .. .. .. .. 890

**Mersey River (Gunpowder) Bill** [H.L.]—*Presented* (*The Earl of Rosebery*); read 1ª; and *referred* to the Examiners (No. 46) .. .. .. .. 890

[7.0.]

## COMMONS, MONDAY, APRIL 23.

Standing Committee on Trade, Shipping, and Manufactures—

*Ordered,* That the Standing Committee on Trade, Shipping, and Manufactures have leave to print and circulate with the Votes any amended Clauses of the Bankruptcy Bill from time to time,—(*Mr. Goschen*).

## QUESTIONS.

Egypt—Irrigation—Despatch of the Earl of Dufferin—Question, Mr. Carbutt; Answer, Lord Edmond Fitzmaurice .. .. 891

Commons and Open Spaces (Metropolis)—Peckham Rye Common—Questions, Mr. Firth; Answers, Sir James M'Garel-Hogg .. .. 891

[*April* 23.] Page

GOVERNMENT LIFE ANNUITANTS—CERTIFICATES—10 GEO. IV., c. 24—Question, Mr. Marjoribanks; Answer, The Chancellor of the Exchequer .. 892
POST OFFICE (CONTRACTS) — THE SERVICE TO THE NORTH OF IRELAND—ACCELERATION—Questions, Mr. Lewis, Mr. Gray; Answers, Mr. Fawcett 893
PUBLIC WORKS DEPARTMENT (INDIA)—CONSULTING ENGINEERS—Question, Mr. Carbutt; Answer, Mr. J. K. Cross .. .. .. 894
EDUCATION DEPARTMENT (SCOTLAND)—DENOMINATIONAL SCHOOLS AT GLENCRERAN, ARGYLLSHIRE—Question, Mr. J. A. Campbell; Answer, Mr. Mundella .. .. .. .. .. 894
PEACE PRESERVATION (IRELAND) ACT, 1881—HOUSE SEARCHES — Question, Mr. Biggar; Answer, Mr. Trevelyan .. .. .. 895
EDUCATION DEPARTMENT (SCOTLAND)—EXAMINATION OF HIGHER CLASS SCHOOLS—Question, Mr. J. A. Campbell; Answer, Mr. Mundella .. 896
DRAINAGE LOANS (IRELAND)—PAYMENT OF INSTALMENTS—Question, Colonel O'Beirne; Answer, Mr. Courtney .. .. .. 896
PUBLIC WORKS DEPARTMENT (INDIA)—SALARY OF OFFICERS ENGAGED IN THE AFGHAN CAMPAIGN—Question, Mr. Carbutt; Answer, Mr. J. K. Cross .. .. .. .. .. 897
ISLANDS OF THE SOUTH PACIFIC—THE NEW HEBRIDES—ALLEGED SEIZURE OF PROPERTY BY FRENCH SETTLERS — Question, Mr. Alexander M'Arthur; Answer, Lord Edmond Fitzmaurice .. .. 898
THE IRISH LAND COMMISSION (SUB-COMMISSIONERS)—LIEUTENANT-COLONEL DAVYS—Question, Mr. Biggar; Answer, Mr. Trevelyan .. 898
POOR LAW—EMIGRATION OF PAUPER CHILDREN—Question, Mr. Rankin; Answer, Sir Charles W. Dilke .. .. .. 899
PUBLIC HEALTH—SANITARY AUTHORITY OF THE ISLE OF WIGHT—Question, Sir Hardinge Giffard; Answer, Mr. Hibbert .. .. 899
EGYPT (RE-ORGANIZATION)—MR. SHELDON AMOS—Question, Mr. Molloy; Answer, Lord Edmond Fitzmaurice .. .. .. 900
THE IRISH LAND COMMISSION—THE LIMERICK SUB-COMMISSIONERS—LISTED CASES—Question, Mr. O'Brien; Answer, Mr. Trevelyan .. 901
POST OFFICE (CONTRACTS)—THE SERVICE TO THE NORTH OF IRELAND—ACCELERATION — Question, Mr. J. N. Richardson; Answer, Mr. Fawcett .. .. .. .. .. 902
POOR LAW (IRELAND)—ELECTION OF POOR LAW GUARDIANS FOR CONG, CO. MAYO—Question, Mr. Sexton; Answer, Mr. Trevelyan .. .. 903
PROTECTION OF YOUNG GIRLS—LEGISLATION—Question, Mr. J. R. Yorke; Answer, Sir William Harcourt .. .. .. 904
AFRICA (THE CONGO)—REPORTED SEIZURE OF TERRITORY BY FRANCE—Question, Mr. Ashmead-Bartlett; Answer, Lord Edmond Fitzmaurice 904
BOARD OF WORKS (IRELAND)—DRAINAGE—LEGISLATION—Question, Mr. P. Martin; Answer, Mr. Courtney .. .. .. 905
LAW AND JUSTICE (IRELAND)—MR. BARROW, COUNTY COURT JUDGE OF MONAGHAN—Questions, Mr. Sexton; Answers, Mr. Trevelyan .. 905
POOR LAW (IRELAND)—ELECTION OF GUARDIANS, CO. LEITRIM—ALLEGED INTIMIDATION—Question, Mr. Sexton; Answer, Mr. Trevelyan; Question, Mr. Tottenham; [No reply] .. .. .. 906
CRIMINAL LAW (IRELAND)—THE NEW JUDICATURE RULES—Question, Mr. Sexton; Answer, Mr. Trevelyan .. .. .. 908
POOR LAW (IRELAND)—BELFAST BOARD OF GUARDIANS—ALLEGED DEFALCATIONS OF THE SOLICITOR—Question, Mr. Kenny; Answer, Mr. Trevelyan .. .. .. .. ... 909
LAW AND JUSTICE—THE QUEEN'S BENCH DIVISION OF THE HIGH COURT OF JUSTICE—DELAY IN PROCEDURE—Question, Mr. Pugh; Answer, The Attorney General .. .. .. .. 910
PARLIAMENT—THE CONTAGIOUS DISEASES ACTS—LEGISLATION—Question, Lord Randolph Churchill; Answer, The Marquess of Hartington .. 910
DUCHY OF CORNWALL—LEASE OF LAND FOR CONVICT PRISONS—Question, Mr. Acland; Answer, Sir William Harcourt .. .. 911

[*April* 23.]

*Page*

AFRICA (THE CONGO)—PORTUGAL—Questions, Mr. Jacob Bright, Mr. Bourke; Answers, Lord Edmond Fitzmaurice .. .. 911
FRANCE AND ANNAM—FRENCH PROTECTORATE OVER TONQUIN—Question, Sir Donald Currie; Answer, Lord Edmond Fitzmaurice .. 912
PARLIAMENT—BUSINESS OF THE HOUSE—POLICE SUPERANNUATION BILL—Question, Sir Henry Selwin-Ibbetson; Answer, Mr. Gladstone .. 913
PARLIAMENT—BUSINESS OF THE HOUSE—AGRICULTURAL TENANTS' COMPENSATION—LEGISLATION—Question, Mr. Chaplin; Answer, Mr. Gladstone .. .. .. .. .. 913
PAROCHIAL BOARDS (SCOTLAND) BILL—Question, Sir Edward Colebrooke; Answer, Dr. Cameron .. .. .. .. 914
CUSTOMS AND INLAND REVENUE BILL—Question, Mr. Macfarlane; Answer, The Chancellor of the Exchequer .. .. .. 914
UNIVERSITIES (SCOTLAND) BILL—Question, Mr. Lyon Playfair; Answer, The Lord Advocate .. .. .. .. 915
PARLIAMENTARY OATHS ACT (1866) AMENDMENT BILL—Question, Mr. Schreiber; Answer, Mr. Gladstone .. .. .. 915

## *ORDERS OF THE DAY.*

—o—

**Parliamentary Oaths Act (1866) Amendment Bill** [Bill 89]—

*Moved*, "That the Bill be now read a second time,"—(*Mr. Attorney General*) .. .. .. .. .. 915

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Sir Richard Cross.*)

Question proposed, "That the word 'now' stand part of the Question:"—After long debate, *Moved*, "That the Debate be now adjourned,"—(*Sir H. Drummond Wolff:*)—Question put, and *agreed to:*—Debate *adjourned* till *Thursday.*

**Customs and Inland Revenue Bill** [Bill 140]—

*Moved*, "That the Bill be now read a second time,"—(*Mr. Chancellor of the Exchequer*) .. .. .. .. .. 988

*Moved*, "That this House do now adjourn,"—(*Mr. Hicks:*)—After short debate, Question put:—The House *divided;* Ayes 81, Noes 102; Majority 21.—(Div. List, No. 69.)

Question again proposed, "That the Bill be now read a second time:"—*Moved*, "That the Debate be now adjourned,"—(*Mr. Chaplin:*)—After short debate, Question put, and *agreed to:* — Debate *adjourned* till *Thursday.*

**Isle of Man (Harbours) Bill** [Bill 101]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. John Holms*) .. .. .. 996

After short debate, Question put, and *agreed to:*—Bill *considered* in Committee .. .. .. .. .. 999

After short time spent therein, Bill *reported;* as amended, to be considered upon *Thursday.*

## *MOTION.*

—o—

**Forest of Dean (Highways) Bill**—*Ordered* (*Mr. Courtney, Mr. Herbert Gladstone*); *presented*, and read the first time [Bill 148] .. .. .. 1000

## LORDS, TUESDAY, APRIL 24.

Page

AFRICA (SOUTH)—ZULULAND—ENCROACHMENT OF SUBJECTS OF THE TRANSVAAL—Question, Observations, The Earl of Camperdown; Reply, The Earl of Derby .. .. .. .. 1000

EXPLOSIVE SUBSTANCES ACT, 1875—SECTION 23—STORAGE OF GUNPOWDER (IRELAND)—Question, Observations, The Earl of Limerick; Reply, The Earl of Rosebery .. .. .. .. 1007

NATIONAL EDUCATION (IRELAND)—MOTION FOR A PAPER—

*Moved* for, "Copy of Rule 1. of the Rules and Regulations of the Commissioners of National Education in Ireland,"—(*The Earl of Longford*) .. 1008

After short debate, Motion *agreed to*:—Copy *ordered* to be laid before the House.

[5.30.]

## COMMONS, TUESDAY, APRIL 24.

## *PRIVATE BUSINESS.*

*Metropolitan District Railway Bill* (*by Order*)—

*Moved*, "That the Bill be now read a second time,"—(*Sir Charles Forster*) .. .. .. .. .. 1011

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Hicks.*)

Question proposed, "That the word 'now' stand part of the Question:"—After debate, Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to*:—Bill read a second time, and *committed.*

*Moved*, "That it be an Instruction to the Committee to which the said Bill is referred, that, provided the Standing Orders have either been complied with or dispensed with, they have power to insert in the said Bill a Clause making it compulsory upon the Metropolitan District Railway Company to pull down the ventilators, now erected or in course of erection in Tothill Street, Broad Sanctuary, Victoria Street, the Thames Embankment and Gardens, and in Queen Victoria Street, under the award of Captain Galton, and to reinstate the said streets and gardens, upon such terms as may seem reasonable to the Committee,"—(*Mr. Marriott*) .. .. 1026

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the ventilators on the Embankment having been sanctioned by the House after full investigation of the facts by one of its Committees, and in order to promote the health and comfort of the millions who are travelling by the Underground Railway, the House declines, on mere *ex parte* statements, to upset the previous decision by an Instruction that would appear vindictive, as given on a Bill not relating to the subject,"—(*Mr. Anderson,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 200, Noes 110; Majority 90.—(Div. List, No. 70.)

Main Question put, and *agreed to.*

*Ordered*, That leave be given to the Metropolitan Board of Works and the Commissioners of Sewers of the City of London to appear, by their Counsel, Agents, and Witnesses, before the Committee on the Bill in support of any Petition which may be presented by them respectively on the subject, notwithstanding that such Petition has been presented after the period limited by the Standing Orders for the presentation of Petitions against Private Bills.

*Moved*, That it be an Instruction to the Committee on the Bill to inquire what powers, if any, the Metropolitan District Railway Company now possess enabling them to cover in or build over the open cuttings on their Railways; and, if the Company has such powers, that the Committee have power, upon the Standing Orders being complied with or dispensed with, to amend or repeal the section or sections of the Act or Acts giving such powers with such provisos and upon such terms as may seem reasonable to the Committee.

*Metropolitan District Railway Bill*—continued.

That leave be given to the Metropolitan Board of Works and the Commissioners of Sewers of the City of London to appear, by their Counsel, Agents, and Witnesses, before the Committee on the Bill in support of any Petition which may be presented by them respectively on the subject, notwithstanding that such Petition has been presented after the period limited by the Standing Orders for the presentation of Petitions against Private Bills,—(*Lord Algernon Percy.*)

Motion *agreed to.*

---

STANDING COMMITTEE ON LAW, AND COURTS OF JUSTICE, AND LEGAL PROCEDURE—

*Ordered,* That the Standing Committee on Law, and Courts of Justice, and Legal Procedure have leave to print and circulate with the Votes any Amended Clauses of the Court of Criminal Appeal Bill, and the Criminal Code (Indictable Offences Procedure) Bill, from time to time,—(*Mr. Sclater-Booth.*)

## *QUESTIONS.*

GREENWICH HOSPITAL—THE PICTURES—Question, General Burnaby; Answer, Sir Thomas Brassey .. .. .. .. 1052
PUBLIC HEALTH (IRELAND)—TYPHUS FEVER IN DUBLIN—Question, Mr. W. J. Corbet; Answer, Mr. Trevelyan .. .. .. 1052
CRIMINAL LUNATIC ASYLUM, DUNDRUM—POST MORTEM EXAMINATIONS—Question, Mr. W. J. Corbet; Answer, Mr. Trevelyan .. .. 1053
THE ROYAL IRISH CONSTABULARY—Question, Mr. O'Shea; Answer, Mr. Trevelyan .. .. .. .. .. 1054
THE UNITED STATES AND MEXICO—Question, Mr. Slagg; Answer, Lord Edmond Fitzmaurice .. .. .. .. 1054
THE MAGISTRACY (IRELAND)—CASES OF MICHAEL SHEEHAN AND JOHN LINANE—Question, Mr. Kenny; Answer, Mr. Trevelyan .. .. 1055
THE ROYAL IRISH CONSTABULARY—THE POLICE FORCE (ARMAGH)—Question, Mr. Sexton; Answer, Mr. Trevelyan .. .. .. 1056
WESTERN ISLANDS OF THE PACIFIC—NEW GUINEA—PAPERS, &C.—Question, Sir Henry Holland; Answer, Mr. Evelyn Ashley .. .. 1057
AFRICA (SOUTH)—ZULULAND—REPORTED FIGHTING—Questions, Mr. A. F. Egerton, Lord Randolph Churchill; Answers, Mr. Evelyn Ashley .. 1057
SPAIN—HOMICIDE OF THOMAS MITCHELL, A BRITISH SUBJECT, AT MALAGA—Question, Mr. Henderson; Answer, Lord Edmond Fitzmaurice .. 1058
MADAGASCAR—CLAIMS OF FRANCE ON THE NORTH-WEST COAST—Question, Mr. Ashmead-Bartlett; Answer, Lord Edmond Fitzmaurice .. 1058
AFRICA (THE CONGO)—FRENCH ANNEXATIONS—Question, Mr. Ashmead-Bartlett; Answer, Lord Edmond Fitzmaurice .. .. 1059
THE IRISH LAND COMMISSION—FAIR RENTS—APPEALS—Questions, Mr. Sexton, Mr. Brodrick; Answers, Mr. Gladstone .. .. 1059
UNITED STATES—DYNAMITE CONSPIRACIES—Question, Mr. Bourke; Answer, Mr. Gladstone .. .. .. .. 1061
PARLIAMENT—BUSINESS OF THE HOUSE—THE TENANTS' COMPENSATION BILL AND THE LONDON CORPORATION BILL—Question, Sir Alexander Gordon; Answer, Mr. Gladstone .. .. .. 1061
PARLIAMENTARY OATHS ACT (1866) AMENDMENT BILL—Question, Mr. Schreiber; Answer, Mr. Gladstone .. .. .. 1062

## *MOTION.*

STEAMSHIP "LEON XIII."—RESOLUTION—

*Moved,* "That, bearing in mind the manner in which Spanish Law was recently enforced in the case of the English steamer "Tangier," this House looks to Her Majesty's Government to uphold English Law, seriously violated in the case of the Spanish

STEAMSHIP "LEON XIII."—RESOLUTION—continued.

steamship "Leon XIII.," and to obtain compensation to the British subjects damnified in that case for the suffering and loss inflicted on them through the action of the Spanish Consul at Singapore,"—(*Dr. Cameron*) .. .. .. 1063

After short debate, [House counted out.] [8.45.]

## COMMONS, WEDNESDAY, APRIL 25.

## *ORDERS OF THE DAY.*

**Poor Removal and Settlement (Ireland) Bill** [Bill 20]—

Order for Second Reading read .. .. .. 1082

Notice taken, that the Bill was not prepared pursuant to the Order of Leave,—(*Mr. Buchanan*:)—After short debate, *Moved*, "That the Order for the Second Reading of the Bill be discharged,"—(*Sir Hervey Bruce*:)—Question put, and *agreed to*:—Order *discharged*; Bill *withdrawn*.

**Cemeteries Bill** [Bill 45]—

*Moved*, "That the Bill be now read a second time,"—(*Mr. Richard*) .. 1084

After debate, Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months," —(*Mr. Beresford Hope*.)

Question proposed, "That the word 'now' stand part of the Question:" —After further debate, *Moved*, "That the Debate be now adjourned,"— (*Mr. O'Donnell*:)—After further debate, Question put:—The House *divided*; Ayes 121, Noes 150; Majority 29.—(Div. List, No. 71.)

Main Question again proposed .. .. .. 1112

After short debate, it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow*.

## *MOTIONS.*

**Local Government Provisional Orders (Poor Law) Bill**—*Ordered* (*Mr. Hibbert, Sir Charles W. Dilke*); *presented*, and read the first time [Bill 149] .. .. 1116

**Local Government Areas Bill**—*Ordered* (*Mr. Albert Grey, Mr. Pell, Mr. James Howard, Mr. Yorke*); *presented*, and read the first time [Bill 151] .. .. 1116

**Settlement and Removal Law Amendment Bill**—*Ordered* (*Sir Hervey Bruce, Mr. Pell, Mr. Corry, Mr. Lewis, Mr. O'Sullivan*); *presented*, and read the first time [Bill 152] .. .. .. .. .. 1117

[5.50.]

## LORDS, THURSDAY, APRIL 26.

LAND LAW (IRELAND)—THE SELECT COMMITTEE—MOTION TO SUMMON A WITNESS—

*Moved*, "That Romney Foley, Esquire, Q.C., Sub-commissioner of the Irish Land Commission, do attend the service of the House on Friday, the 4th of May next, at Twelve o'clock, in order to his being examined as a witness before the Select Committee on Land Law (Ireland),"—(*The Earl Cairns*) .. .. .. 1117

After short debate, on Question, *agreed to*.

**Medical Act Amendment Bill** (No. 36)—

Order of the Day for the Report of Amendments to be received, read .. 1118
*Moved*, "That the said Report be now received,"—(*The Lord President:*) —After short debate, Motion *agreed to*:—Amendments *reported* accordingly.
Further Amendments made:—Bill to be read 3ª *To-morrow*, and to be *printed* as amended. (No. 49.) [5.45.]

## COMMONS, THURSDAY, APRIL 26.

## *QUESTIONS.*

EDUCATION DEPARTMENT—CARNARVON TRAINING COLLEGE—Question, Mr. H. H. Fowler; Answer, Mr. Mundella .. .. .. 1131
CRIME (IRELAND)—MURDER OF JOHN FLANAGAN—Question, Mr. W. J. Corbet; Answer, Mr. Trevelyan .. .. .. 1132
POOR LAW (IRELAND)—RATHDRUM UNION—ELECTION OF A GUARDIAN—Questions, Mr. W. J. Corbet, Mr. O'Brien; Answers, Mr. Trevelyan .. 1133
LAW AND JUSTICE (IRELAND)—JURY PANELS—Questions, Mr. O'Brien, Mr. O'Donnell; Answers, Mr. Trevelyan .. .. .. 1134
INLAND REVENUE—INCOME TAX (SCHEDULE B)—Question, Sir Joseph M'Kenna; Answer, Mr. Courtney .. .. .. 1135
PUBLIC HEALTH—NAZARETH HOUSE, HAMMERSMITH—Question, Mr. Daly; Answer, Sir Charles W. Dilke .. .. .. 1136
LAW AND JUSTICE (IRELAND)—EXECUTION OF MYLES JOYCE FOR MURDER—Question, Mr. Harrington; Answer, Mr. Trevelyan; Question, Mr. O'Brien; [No reply] .. .. .. .. 1136
CRIME (IRELAND)—CO. WICKLOW—Question, Mr. W. J. Corbet; Answer, Mr. Trevelyan .. .. .. .. 1138
TURKEY IN ASIA—THE GOVERNOR OF THE LEBANON—Question, Mr. Bourke; Answer, Lord Edmond Fitzmaurice .. .. 1139
POOR LAW (IRELAND)—BELFAST BOARD OF GUARDIANS—IRREGULARITY OF THE MASTER OF THE WORKHOUSE—Question, Mr. Biggar; Answer, Mr. Trevelyan .. .. .. .. .. 1139
POOR LAW (IRELAND)—THE DONEGAL WORKHOUSE—Question, Mr. O'Don[illegible] Answer, Mr. Trevelyan .. .. .. 1140
THE IRISH LAND COMMISSION—SITTING AT DUNGARVAN—Question, Mr. O'Donnell; Answer, Mr. Trevelyan .. .. .. 1141
POST OFFICE—THE WEST COAST OF AFRICA—Questions, Mr. Slagg; Answers, Mr. Courtney, Lord Edmond Fitzmaurice .. .. 1141
EXPLOSIVE SUBSTANCES ACT, 1875—SECTION 23—STORAGE OF GUNPOWDER (IRELAND)—Questions, Colonel King-Harman; Answers, Mr. Trevelyan, Sir William Harcourt .. .. .. .. 1142
ARMY—STOPPAGE OF PAY—Question, Colonel Nolan; Answer, The Judge Advocate General .. .. .. .. 1144
EGYPT—THE HARBOUR OF ALEXANDRIA—Question, Mr. W. H. Smith; Answer, Lord Edmond Fitzmaurice .. .. .. 1144
EGYPT (RE-ORGANIZATION)—MR. SHELDON AMOS—Question, Mr. Molloy; Answer, Lord Edmond Fitzmaurice .. .. .. 1145
TOWNS IMPROVEMENT (IRELAND) ACT—EXTENSION OF BOROUGH BOUNDARIES—Question, Colonel Nolan; Answer, Mr. Trevelyan .. .. 1145
PRISONS (IRELAND)—CASE OF JAMES KELLY—Question, Mr. Harrington; Answer, Mr. Trevelyan .. .. .. .. 1146
POOR LAW (IRELAND)—WORKHOUSE CHAPLAINS—BELFAST UNION—Question, Lord Arthur Hill; Answer, Mr. Trevelyan .. .. 1146
LAND LAW (IRELAND) ACT, 1881—LORD CLONCURRY'S ESTATES—EVICTED TENANTS—Question, Mr. O'Brien; Answer, Mr. Trevelyan .. 1147

[*April* 26.] *Page*

LAND LAW (IRELAND) ACT, 1881—CLAUSE 19—LABOURERS' COTTAGES—Question, Mr. Villiers Stuart; Answer, Mr. Trevelyan .. .. 1147
THE MAGISTRACY (IRELAND)—LICENSING (BALLYMENA QUARTER SESSIONS)—Question, Mr. Kenny; Answer, Mr. Trevelyan .. .. 1148
THE IRISH LAND COMMISSION (SUB-COMMISSIONERS)—SITTINGS AT NENAGH—Question, Mr. Sexton; Answer, Mr. Trevelyan .. .. 1149
INLAND NAVIGATION AND DRAINAGE (IRELAND)—THE SHANNON—Question, Colonel Nolan; Answer, Mr. Courtney .. .. .. 1150
IMPERIAL EXPENDITURE (IRELAND)—Questions, Mr. Arthur O'Connor; Answers, Mr. Courtney, Mr. Fawcett .. .. .. 1150
POST OFFICE—SIXPENNY TELEGRAMS—LIABILITY OF GUARANTORS—Question, Mr. Guy Dawnay; Answer, Mr. Fawcett .. .. ., 1151
NAVY—THE ROYAL MARINES—PAY OF MEN EMPLOYED ON POLICE DUTY IN IRELAND—Question, Mr. Gorst; Answer, Mr. Campbell-Bannerman 1152
EGYPT (THE EXPEDITIONARY FORCE)—FIELD ALLOWANCE—Question, Sir William Hart Dyke; Answer, Mr. J. K. Cross .. .. 1152
THE MAGISTRACY (ENGLAND AND WALES)—NEWSPAPER PROPRIETORS—Question, Mr. Passmore Edwards; Answer, The Attorney General .. 1153
IRELAND—STATE-AIDED EMIGRATION—Question, Mr. Arthur O'Connor; Answer, Mr. Trevelyan .. .. .. .. 1154
CATTLE DISEASE (IRELAND)—Question, Mr. Duckham; Answer, Mr. Trevelyan .. .. .. .. .. 1155
NAVY—NAVAL ARTIFICERS—Question, Mr. Stewart Macliver; Answer, Mr. Campbell-Bannerman .. .. .. .. 1155
INDIA—THE PUBLIC WORKS DEPARTMENT—Question, Mr. Carbutt; Answer, Mr. J. K. Cross .. .. .. .. 1156
LAND LAW (IRELAND) ACT, 1881—LOANS TO IRISH TENANTS—Question, Mr. Errington; Answer, Mr. Courtney .. .. .. 1156
GOVERNMENT OF IRELAND—UNDER SECRETARY TO THE LORD LIEUTENANT—Question, Mr. W. H. Smith; Answer, Mr. Trevelyan .. .. 1157
THE IRISH LAND COMMISSION—THE KING'S COUNTY—Question, Mr. Molloy; Answer, Mr. Trevelyan .. .. .. .. 1157
POST OFFICE (IRELAND)—TELEGRAPH DEPARTMENT—DUBLIN TELEGRAPH CLERKS—Question, Mr. O'Donnell; Answer, Mr. Fawcett .. 1158
THE CENSUS, 1881—Question, Mr. W. H. Smith; Answer, Sir Charles W. Dilke .. .. .. .. .. 1158
INDIA (MADRAS)—COMPULSORY VACCINATION—Question, Mr. P. A. Taylor; Answer, Mr. J. K. Cross .. .. .. .. 1158
THE ROYAL IRISH CONSTABULARY—REPORT OF THE COMMISSION—Question, Mr. Gibson; Answer, Mr. Trevelyan .. .. .. 1159
FOREIGN AFFAIRS—THE TRIPLE CONVENTION—Question, Mr. Bourke; Answer, Mr. Gladstone .. .. .. .. 1159
LITERATURE, SCIENCE, AND ART—PURCHASE OF THE ASHBURNHAM MSS.—THE IRISH MSS.—Question, Mr. O'Donnell; Answer, Mr. Gladstone 1160
THE IRISH LAND COMMISSION—VALUERS—RESULT OF APPOINTMENT—Question, Mr. Brodrick; Answer, Mr. Gladstone .. .. 1160
EAST INDIA—CODE OF CRIMINAL PROCEDURE AMENDMENT BILL—Question, Mr. Onslow; Answer, Mr. Gladstone .. .. .. 1161
PUBLIC WORKS (IRELAND)—Question, Colonel Nolan; Answer, Mr. Gladstone .. .. .. .. .. 1162
SOUTH AFRICA—THE TRANSVAAL CONVENTION, 1881—Questions, Mr. Salt, Mr. Gorst, Mr. Joseph Cowen; Answers, Mr. Gladstone .. 1162
PARLIAMENT—INLAND REVENUE DEPARTMENT—GRIEVANCES OF OFFICERS—RIGHT OF PETITION—Questions, Lord Randolph Churchill, Mr. Raikes; Answers, The Chancellor of the Exchequer, Mr. Speaker .. 1163
THE MINISTRY—MINISTER OF AGRICULTURE AND COMMERCE—Questions, Mr. Duckham, Mr. Monk, Mr. R. H. Paget, Sir Stafford Northcote; Answers, Mr. Gladstone .. .. .. .. 1165
PARLIAMENT—BUSINESS OF THE HOUSE—Questions, Sir Stafford Northcote, Sir Walter B. Barttelot; Answers, Mr. Gladstone .. .. 1166

## *ORDERS OF THE DAY.*

—o—

**Parliamentary Oaths Act (1866) Amendment Bill** [Bill 89]—SECOND READING [ADJOURNED DEBATE] [SECOND NIGHT]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [23rd April], "That the Bill be now read a second time:"—Question again proposed, "That the word 'now' stand part of the Question:"—Debate *resumed* .. .. .. 1167

After long debate, *Moved*, "That the Debate be now adjourned,"—(*Lord Randolph Churchill*:)—After further short debate, Motion *agreed to*:—Debate *further adjourned* till *Monday* next.

**Customs and Inland Revenue Bill** [Bill 140]—

Order read, for resuming Adjourned Debate on Question [23rd April], "That the Bill be now read a second time:"—Question again proposed:—Debate *resumed* .. .. .. .. 1223

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in view of the growing injury inflicted upon our industries by Foreign tariffs, and the consequent importance of more rapidly developing the resources of India and the Colonies, it is expedient to free ourselves as early as possible from the restraints of Commercial Treaties to abolish the Duties upon tea, coffee, cocoa, and dried fruits imported from British possessions; to levy specific Duties (in no case equal to more than 10 per cent upon ordinary average values) upon the like articles, as well as upon wheat, flour, and sugar imported from Foreign Countries; and also to impose an Import Duty upon Foreign manufactures, with the notification that it should cease to operate, as against each Nation, from the day on which such Nation should admit British manufactures Duty free,"—(*Mr. Ecroyd*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put, and *agreed to*.

Main Question, "That the Bill be now read a second time," put, and *agreed to*.

Bill read a second time, and *committed* for *To-morrow*.

## *MOTIONS.*

—o—

**Poor Relief (Ireland) Bill**—

*Moved*, "That leave be given to bring in a Bill to make temporary provision for the relief of the Destitute Poor in Ireland,"—(*Mr. Trevelyan*) .. .. 1257

After short debate, Question put:—The House *divided*; Ayes 124, Noes 9; Majority 115.—(Div. List, No. 72.)

Bill *ordered* (*Mr. Trevelyan, Mr. Herbert Gladstone*); *presented*, and read the first time [Bill 154.]

**Local Government (Ireland) Provisional Orders (Rathmines, &c.) Bill**—*Ordered* (*Mr. Trevelyan, Mr. Herbert Gladstone*); *presented*, and read the first time [Bill 153] 1261

**Parliamentary Registration (Ireland) Bill**—*Ordered* (*Mr. Trevelyan, Mr. Attorney General for Ireland*); *presented*, and read the first time [Bill 155] .. .. 1261

[2.0.]

## LORDS, FRIDAY, APRIL 27.

**Medical Act Amendment Bill** (No. 49)—

Bill read 3ª (according to order) .. .. .. 1262

*Moved*, "That the Bill do pass,"—(*The Lord President*:)—Amendments made; Bill *passed*, and sent to the Commons.

METROPOLITAN IMPROVEMENTS—HYDE PARK CORNER—Observations, Question, Earl Fortescue; Reply, Lord Sudeley .. .. .. 1263

[4.45.]

## COMMONS, FRIDAY, APRIL 27.

Page

Indisposition of Mr. Speaker—

Sir Arthur Otway, the Chairman of Ways and Means, as Deputy Speaker, took the Chair .. .. .. .. .. 1265

Parliament—Committee of Selection—

Standing Committee on Law—Mr. Reginald Yorke discharged, Mr. Arthur Balfour substituted .. .. .. .. 1265

## QUESTIONS.

Post Office—House of Commons Lobby—Questions, Mr. J. N. Richardson, Mr. Raikes; Answers, Mr. Fawcett .. .. .. 1265

Prevention of Crime (Ireland) Act, 1882—Proclamation of Tipperary Co.—Question, Mr. Mayne; Answer, Mr. Trevelyan .. .. 1266

Contagious Diseases (Animals) Act (Ireland)—Westmeath—Question, Mr. Harrington; Answer, Mr. Trevelyan .. .. .. 1267

The Magistracy (Ireland)—Louth Petty Sessions—Captain Keogh—Question, Mr. T. P. O'Connor; Answer, Mr. Trevelyan .. .. 1267

Prevention of Crime (Ireland) Act, 1882—Arrests at Miltown Malbay—Question, Mr. Kenny; Answer, Mr. Trevelyan .. .. 1268

The Irish Land Commission (Sub-Commissioners)—The Granard Union—Question, Mr. Justin M'Carthy; Answer, Mr. Trevelyan .. 1269

Law and Justice (Ireland)—Trial of Timothy Kelly for Murder—Protection for Witnesses—Question, Mr. O'Brien; Answer, Mr. Trevelyan .. .. .. .. .. 1270

Local Taxation—The Subvention of 1874—Subsequent Increase of the Cost of the Police—Question, Viscount Folkestone; Answer, Sir Charles W. Dilke .. .. .. .. 1270

Post Office (Contracts)—The Scotch Mail Service—Acceleration—Question, Mr. Webster; Answer, Mr. Fawcett .. .. 1271

Army Medical and Transport Services—Report of the Committee—Question, Lord Eustace Cecil; Answer, The Marquess of Hartington .. 1271

Metropolis—Electric Lighting—Question, Mr. J. R. Yorke; Answer, Mr. Chamberlain .. .. .. .. .. 1271

Highways—The Forest of Dean—Question, Colonel Kingscote; Answer, Mr. Courtney .. .. .. .. .. 1272

Parliament—Inland Revenue Department—Grievances of Officers—Right of Petition—Questions, Lord Randolph Churchill, Mr. Gorst; Answers, The Chancellor of the Exchequer .. .. 1272

Timber Planting (Ireland)—Return of Trees Planted since 1857—Question, Mr. Marum; Answer, Mr. Trevelyan .. .. 1273

The Irish Land Commission—Judicial Rents, Donegal—Question, Mr. T. P. O'Connor; Answer, Mr. Trevelyan .. .. .. 1274

Contagious Diseases Acts Committee—The Judge Advocate General—Question, Mr. Cavendish Bentinck; Answer, Mr. Gladstone .. 1275

Local Taxation—Legislation—Questions, Mr. J. R. Yorke, Mr. Brodrick; Answers, Mr. Gladstone .. .. .. .. 1277

Parliament—Business of the House—Parliamentary Elections (Corrupt and Illegal Practices) Bill—Question, Lord Randolph Churchill; Answer, Mr. Gladstone .. .. .. 1279

Parliament—Business of the House—The Navy Estimates—Question, Mr. Gorst; Answer, Mr. Gladstone .. .. .. 1279

Parliament—Business of the House—South Africa—The Transvaal—Policy of Her Majesty's Government—Questions, Sir Stafford Northcote, Lord Randolph Churchill; Answers, Mr. Gladstone, Lord Richard Grosvenor .. .. .. .. 1279

Page

## *ORDERS OF THE DAY.*

—o—

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

LOCAL OPTION—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the best interests of the Nation urgently require some efficient measure of legislation by which, in accordance with the Resolution already passed and re-affirmed by this House, a legal power of restraining the issue or renewal of Licences for the Sale of Intoxicating Liquors may be placed in the hands of the persons most deeply interested and affected, namely, the inhabitants themselves,"—(*Sir Wilfrid Lawson*,)—instead thereof .. .. .. 1280

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put:—The House *divided;* Ayes 141, Noes 228; Majority 87.—(Div. List, No. 73.)

Question proposed,

"That the words 'the best interests of the Nation urgently require some efficient measure of legislation by which, in accordance with the Resolution already passed and re-affirmed by this House, a legal power of restraining the issue or renewal of Licences for the Sale of Intoxicating Liquors may be placed in the hands of the persons most deeply interested and affected, namely, the inhabitants themselves' be there added."

Amendment proposed to the said proposed Amendment,

To leave out from the word "Nation" to the end of the Question, in order to add the words "require that effect be given to the recommendation of the Lords Committee on Intemperance, and that instead of placing the licensing power entirely in the hands of a body elected by the popular vote, provision be made for strengthening the hands of the local magistrates,"—(*Sir John Kennaway*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the said proposed Amendment:"—After short debate, Question put:—The House *divided;* Ayes 206, Noes 130; Majority 76.

Division List, Ayes and Noes .. .. .. 1377

Main Question, as amended, put, and *agreed to.*

**Customs and Inland Revenue Bill** [Bill 140]—

Order for Committee read:—*Moved*, "That Mr. Deputy Speaker do now leave the Chair,"—(*Mr. Chancellor of the Exchequer*) .. .. 1380

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House earnestly commends to Her Majesty's Government the provision of a general Valuation Bill (in extension of 'The Metropolis Valuation Act, 1869'), and the adjustment of the Income Tax, so as to bring Local and Imperial Taxes under the same principle of assessment, a more effective administration, and under a simpler and more acceptable system of collection,"—(*Mr. J. G. Hubbard*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Deputy Speaker do now leave the Chair,"—put, and *agreed to.*

Bill *considered* in Committee .. .. .. .. 1389

After some time spent therein, Committee report Progress; to sit again upon *Monday* next. [1.15.]

## LORDS, MONDAY, APRIL 30.

LAND LAW (IRELAND)—LANDLORDS UNDER THE IRISH LAND ACT—MOTION FOR AN ADDRESS—

*Moved*, "That an humble Address be presented to Her Majesty praying Her Majesty to appoint a Royal Commission to inquire whether the Irish landlords have sustained any

LAND LAW (IRELAND)—LANDLORDS UNDER THE IRISH LAND ACT—*continued.*
loss owing to the working of the Irish Land Bill of 1881; and, if so, the amount of such loss; and to report whether according to legal precedent and justice they are not entitled to compensation for such loss,"—(*The Lord Oranmore and Browne*) .. 1390
After debate, on Question? *resolved* in the *negative.*

[6.15.]

## COMMONS, MONDAY, APRIL 30.

INDISPOSITION OF MR. SPEAKER—
Sir Arthur Otway, the Chairman of Ways and Means, as Deputy Speaker, took the Chair .. .. .. .. 1407

## QUESTIONS.

STATE OF IRELAND—DISTRESS IN THE WEST AND NORTH-WEST—Question, Colonel Colthurst; Answer, Mr. Trevelyan; Question, Mr. O'Brien; [No reply] .. .. .. .. .. 1407
IRELAND—CRIMINAL LUNATIC ASYLUM, DUNDRUM—Question, Mr. W. J. Corbet; Answer, Mr. Trevelyan .. .. .. 1408
PREVENTION OF CRIME (IRELAND) ACT, 1882—SECTION 14—POLICE SEARCHES—Question, Mr. Biggar; Answer, Mr. Trevelyan .. .. 1409
EAST INDIA—CODE OF CRIMINAL PROCEDURE (NATIVE JURISDICTION OVER BRITISH SUBJECTS)—Question, Mr. Gibson; Answer, Mr. J. K. Cross .. 1410
LAW AND POLICE (SCOTLAND)—THE CHIEF CONSTABLE OF SUTHERLAND—Question, Mr. Biggar; Answer, The Lord Advocate .. .. 1411
POOR LAW (IRELAND)—ELECTION OF A GUARDIAN, BALLYMACWILBAIN—Question, Mr. O'Brien; Answer, Mr. Trevelyan .. .. 1412
PRISONS (IRELAND)—SPIKE ISLAND—Questions, Sir R. Assheton Cross, Mr. T. P. O'Connor; Answers, Mr. Trevelyan; Question, Mr. Arthur O'Connor; [No reply] .. .. .. .. 1413
BURMAH—OBSERVANCE OF TREATIES WITH INDIA—Question, Mr. Onslow; Answer, Mr. J. K. Cross .. .. .. .. 1414
ARMY (INDIA)—CIVIL PAY OF MILITARY OFFICERS—Question, Mr. Carbutt; Answer, Mr. J. K. Cross .. .. .. .. 1415
THE DANUBIAN COMMISSION—Question, Mr. Joseph Cowen; Answer, Lord Edmond Fitzmaurice .. .. .. .. 1415
FRANCE AND ANNAM (TONQUIN)—Question, Mr. Onslow; Answer, Lord Edmond Fitzmaurice .. .. .. .. 1415
THE SLAVE TRADE—BRITISH SLAVE OWNERS—Question, Sir John Hay; Answer, Lord Edmond Fitzmaurice .. .. .. 1416
LAND LAW (IRELAND) ACT, 1881—CLAUSE 19—FARM LABOURERS—Question, Mr. Villiers Stuart; Answer, Mr. Trevelyan .. .. 1416
CRIMINAL LAW (SCOTLAND)—IMPRISONMENT OF A PUBLICAN AT HAMILTON—Question, Mr. Ramsay; Answer, The Lord Advocate .. .. 1417
PRISONS (IRELAND)—JAMES KELLY—Question, Mr. Harrington; Answer, Mr. Trevelyan; Question, Mr. Parnell; [No reply] .. .. 1418
THE MAGISTRACY (IRELAND)—THE LAW ADVISER—Questions, Mr. Tottenham, Mr. Gibson, Colonel King-Harman, Mr. Macartney, Mr. Gray; Answers, Mr. Trevelyan .. .. .. .. 1419
FISHERIES—TRAWLERS—Questions, Lord Elcho, Mr. A. Grant; Answers, Mr. Chamberlain .. .. .. .. 1421
PREVENTION OF CRIME (IRELAND) ACT, 1882—SECTION 14—MR. KENNEDY—Question, Mr. O'Brien; Answer, Mr. Trevelyan .. .. 1422
ARMY (INDIA)—CIVIL PAY OF MILITARY OFFICERS—Question, Mr. Carbutt; Answer, Mr. J. K. Cross .. .. .. 1422
METROPOLITAN IMPROVEMENTS—THE WELLINGTON STATUE—Questions, Mr. Gerard Noel; Answers, Mr. Shaw Lefevre .. .. 1423

Page

SOUTH AFRICA—ZULULAND—ACTION OF MR. JOHN SHEPSTONE—Question, Mr. Guy Dawnay; Answer, Mr. Evelyn Ashley .. .. 1423

THE MAGISTRACY—PENZANCE—MARTIN NASH—Question, Mr. Biggar; Answer, Mr. Hibbert .. .. .. .. 1424

PREVENTION OF CRIME (IRELAND) ACT, 1882—ARRESTS NEAR MILTOWN MALBAY—Questions, Mr. Kenny, Mr. Parnell; Answers, Mr. Trevelyan; Questions, Mr. O'Donnell, Mr. Harrington; [No reply] .. 1425

IRELAND — THE UNDER SECRETARY TO THE LORD LIEUTENANT — Question, Mr. O'Donnell; Answer, Mr. Trevelyan .. .. .. 1427

PREVENTION OF CRIME (IRELAND) ACT, 1882—CLAUSE 16—SECRET INQUIRIES —Questions, Mr. O'Donnell; Answers, Mr. Trevelyan, Mr. Gladstone.. 1428

IRELAND—ASSISTED EMIGRATION—Questions, Colonel Colthurst, Colonel King-Harman; Answers, Mr. Trevelyan .. .. .. 1430

LAW AND JUSTICE (IRELAND)—BELFAST ASSIZES—Question, Mr. O'Brien; Answer, Mr. Trevelyan; Question, Mr. Parnell; [No reply] .. 1431

OPEN SPACES (METROPOLIS)—ST. JAMES'S BURIAL GROUND, WESTMINSTER—Question, Mr. J. Hollond; Answer, Sir Charles W. Dilke .. 1432

CONTAGIOUS DISEASES (ANIMALS) ACTS—FOOT-AND-MOUTH DISEASE (IRELAND)—Question, Mr. Harrington; Answer, Mr. Trevelyan .. 1433

POOR LAW (IRELAND)—NORTH DUBLIN UNION — Question, Mr. Justin M'Carthy; Answer, Mr. Trevelyan .. .. .. 1434

PEACE PRESERVATION (IRELAND) ACT, 1881—EXTRA POLICE TAX—THE KING'S CO.—Question, Mr. Justin M'Carthy; Answer, Mr. Trevelyan 1435

ARREARS OF RENT (IRELAND) ACT, 1882—THE EMIGRATION GRANT—Question, Mr. Kinnear; Answer, Mr. Courtney .. .. 1435

LAW AND JUSTICE (IRELAND)—LICENSING SESSIONS, DUBLIN—Question, Mr. Arthur O'Connor; Answer, Mr. Trevelyan .. .. 1435

PARLIAMENT—BUSINESS OF THE HOUSE—THE LONDON GOVERNMENT BILL—Questions, Mr. Firth, Mr. Hopwood, Mr. P. A. Taylor, Mr. Hicks, Mr. Lewis; Answers, Mr. Gladstone .. .. .. 1436

PARLIAMENT—THE WHITSUNTIDE RECESS—Questions, Sir Walter B. Barttelot, Mr. Hopwood; Answers, Mr. Gladstone; Question, Mr. T. P. O'Connor; [No reply] .. .. .. .. 1438

## *ORDERS OF THE DAY.*

—o—

**Parliamentary Oaths Act (1866) Amendment Bill** [Bill 89]—SECOND READING [ADJOURNED DEBATE] [THIRD NIGHT]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [23rd April], "That the Bill be now read a second time:"—Question again proposed, "That the word 'now' stand part of the Question:"—Debate *resumed* .. .. .. 1439

After long debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Walter*:)—After further short debate, Question put, and *agreed to*:—Debate *further adjourned* till *To-morrow*.

**Customs and Inland Revenue Bill** [Bill 140]—

Bill *considered* in Committee [*Progress 27th April*] Sir Farrer Herschell in the Chair .. .. .. .. .. 1511

*Moved*, "That the Deputy Chairman do now leave the Chair,"—(*Mr. Arthur O'Connor*:)—After short debate, Question put:—The Committee *divided*; Ayes 77, Noes 194; Majority 117.—(Div. List, No. 75.)

Original Question again proposed: — After short debate, Committee report Progress; to sit again upon *Thursday*.

**Municipal Corporations (Unreformed) Bill** [Bill 6]—

Bill *considered* in Committee .. .. .. .. 1517

After some time spent therein, Bill *reported*; as amended, to be considered upon *Monday* next, and to be *printed*. [Bill 156.]

[*April* 30.]

Page

## *MOTION.*

**Bills of Exchange** (**Summary Judgment**) **Bill**—*Ordered* (*Mr. Monk, Mr. Norwood, Mr. Lewis Fry, Mr. Arnold Morley*); *presented*, and read the first time [Bill 157] .. 1539

[2.15.]

## LORDS, TUESDAY, MAY 1.

**Pluralities Acts Amendment Bill** (No. 42)—

*Moved*, "That the Bill be now read 2ª,"—(*The Bishop of Exeter*) .. 1539

Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

LAND LAW (IRELAND)—SUB-COMMISSIONERS—Question, Observations, The Earl of Longford; Reply, Lord Carlingford; Observations, Earl Cairns 1540

THE INTERNATIONAL FISHERIES EXHIBITION—THE PROPOSED FISH MARKET—Question, Observations, Viscount Bury; Reply, The Earl of Rosebery .. .. .. .. .. 1544

PARLIAMENT—THE WHITSUN RECESS—Observation, Earl Granville .. 1544

[5.0.]

## COMMONS, TUESDAY, MAY 1.

INDISPOSITION OF MR. SPEAKER—

Sir Arthur Otway, the Chairman of Ways and Means, as Deputy Speaker, took the Chair .. .. .. .. 1545

## *PRIVATE BUSINESS.*

*London and North Western Railway* (*Additional Powers*) *Bill* (*by Order*)—

*Moved*, "That the Bill, as amended, be now considered" .. .. 1545

Amendment proposed, to leave out the words "now considered," in order to add the words "re-committed to the former Committee,"—(*Mr. J. Holland*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided*; Ayes 178, Noes 167; Majority 11.—(Div. List, No. 77.)

Main Question put, and *agreed to*:—Bill *considered*; Clause *added*; Amendments made; Bill to be read the third time.

## *QUESTIONS.*

THE ROYAL IRISH CONSTABULARY—THE OFFICERS—SURPLUS OF SPECIAL GRANT—Question, Lord Arthur Hill; Answer, Mr. Trevelyan .. 1569

CHILI AND PERU—THE WAR—CONVENTION FOR SETTLEMENT OF CLAIMS OF BRITISH SUBJECTS—Question, Dr. Cameron; Answer, Lord Edmond Fitzmaurice .. .. .. .. .. 1570

UNION RATING (IRELAND)—LEGISLATION—Question, Mr. Marum; Answer, Mr. Trevelyan .. .. .. .. 1571

EGYPT (RE-ORGANIZATION)—Questions, Mr. Molloy, Sir Wilfrid Lawson; Answers, Lord Edmond Fitzmaurice .. .. .. 1571

IRELAND—STATE-AIDED EMIGRATION—Questions, Mr. Arthur O'Connor, Mr. T. P. O'Connor, Mr. O'Brien; Answers, Mr. Gladstone, Mr. Trevelyan 1572

LORDS ALCESTER'S AND WOLSELEY'S ANNUITY BILLS—Question, Mr. Stewart Macliver; Answer, Mr. Gladstone .. .. .. 1574

[*May* 1.] Page

PARLIAMENT—BUSINESS OF THE HOUSE—PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL—Question, Sir R. Assheton Cross; Answer, Mr. Gladstone .. .. .. .. 1575

PARLIAMENT—BUSINESS OF THE HOUSE—THE WHITSUN HOLIDAYS—THE CUBAN REFUGEES—Questions, Sir R. Assheton Cross, Mr. Arthur Arnold; Answers, Mr. Gladstone .. .. .. 1575

PARLIAMENTARY OATHS ACT (1866) AMENDMENT BILL — PETITIONS — Question, Mr. Labouchere; Answer, Mr. Gladstone .. .. 1576

THE STANDING COMMITTEES—ATTENDANCE OF MEMBERS—Questions, Mr. Staveley Hill, Mr. Sexton, Mr. Gorst, Sir Stafford Northcote, Mr. Arthur O'Connor; Answers, The Attorney General .. .. 1576

PARLIAMENT—BUSINESS OF THE HOUSE—THE NAVY ESTIMATES—Question, Mr. W. H. Smith; Answer, Mr. Gladstone .. .. 1578

PARLIAMENT—BUSINESS OF THE HOUSE—THE AGRICULTURAL HOLDINGS BILL —Question, Mr. Heneage; Answer, Mr. Gladstone .. .. 1578

LAW AND POLICE (IRELAND)—TRIAL OF FITZHARRIS FOR MURDER—Question, Mr. Jesse Collings; [No reply] .. .. .. 1578

NAVY—H.M.S. "DARING"—Questions, Mr. W. H. Smith, Mr. Carbutt; Answers, Mr. Campbell-Bannerman .. .. .. 1579

## *MOTION.*

PARLIAMENT—BUSINESS OF THE HOUSE—THE PARLIAMENTARY OATHS ACT (1866) AMENDMENT BILL—POSTPONEMENT OF ORDERS OF THE DAY—

*Moved*, "That the Order for resuming the Adjourned Debate on the Parliamentary Oaths Act (1866) Amendment Bill have precedence this day of the Notices of Motions and the other Orders of the Day,"—(*Mr. Gladstone*) .. .. .. 1579

After debate, Question put:—The House *divided;* Ayes 157, Noes 105; Majority 52.—(Div. List, No. 78.)

## *ORDERS OF THE DAY.*

**Parliamentary Oaths Act (1866) Amendment Bill** [Bill 89]—SECOND READING [ADJOURNED DEBATE] [FOURTH NIGHT]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [23rd April], "That the Bill be now read a second time:"—Question again proposed, "That the word 'now' stand part of the Question:"—Debate *resumed* .. .. .. 1598

After long debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Newdegate:*)—After further short debate, Question put, and *agreed to:*—Debate *further adjourned* till *Thursday.*

**Friendly, &c. Societies (Nominations) Bill** [Bill 117]—

*Moved*, "That the Bill be now read a second time,"—(*Mr. Stuart-Wortley*) .. .. .. .. .. 1665

After short debate, Question put, and *agreed to:*—Bill read a second time, and *committed* for *Monday* 28th May.

**Distress Law Amendment Bill** [Bill 44]—

Order for Committee read:—*Moved*, "That Mr. Deputy Speaker do now leave the Chair,"—(*Sir Henry Holland*) .. .. .. 1666

Question put, and *agreed to.*

Bill *considered* in Committee:—*Moved*, "That the Chairman do report Progress, and ask leave to sit again,"—(*Sir Henry Holland:*)—Question put, and *agreed to:*—Committee report Progress; to sit again upon *Thursday* 24th May.

[*May* 1.] *Page*

**New Forest Highways Bill** [Bill 135]—

*Moved,* "That the Bill be now read a second time,"—(*Mr. Courtney*) .. 1667

After short debate, Question put, and *agreed to*:—Bill read a second time, and *committed* to a Select Committee of Nine Members; Five to be nominated by the House, and Four by the Committee of Selection.

CONSTABULARY AND POLICE (IRELAND) [PAY AND PENSIONS]—RESOLUTION—

Order for Committee read:—*Moved,* "That Mr. Deputy Speaker do now leave the Chair,"—(*Sir William Harcourt*) .. .. 1668

Question put, and *agreed to*:—Resolution *considered* in Committee.

After short debate, Resolution *agreed to*; to be reported *To-morrow.*

**Forest of Dean (Highways) Bill**—

Bill read a second time, and *committed* to a Select Committee of Nine Members; Five to be nominated by the House, and Four by the Committee of Selection .. 1669

## *MOTIONS.*

**Local Government (Gas) Provisional Order (Festiniog) Bill**—*Ordered* (*Mr. Hibbert, Sir Charles Dilke*) .. .. .. .. 1669

**Pier and Harbour Provisional Order (No. 2) (Whitby) Bill**—*Ordered* (*Mr. John Holms, Mr. Chamberlain*); *presented,* and read the first time [Bill 158] .. 1669

**Municipal Corporations (Borough Funds) Bill**—*Ordered* (*Mr. Dodds, Mr. Edward Clarke, Mr. Jackson, Mr. St. Aubyn*); *presented,* and read the first time [Bill 159] .. 1669

**Lands Clauses (Umpire) Bill**—*Ordered* (*Mr. Dodds, Mr. Whitley, Mr. Jacob Bright, Mr. Coddington*); *presented,* and read the first time [Bill 160] .. .. 1669

**Public Health Acts Amendment Bill**—*Ordered* (*Mr. Dodds, Sir Edward Reed, Mr. Arnold Morley*); *presented,* and read the first time [Bill 161] .. .. 1670

[2.0.]

## LORDS, WEDNESDAY, MAY 2.

Their Lordships met;—And having gone through the Business on the Paper, without debate, .. [House adjourned] [4.0.]

## COMMONS, WEDNESDAY, MAY 2.

INDISPOSITION OF MR. SPEAKER—

Sir Arthur Otway, the Chairman of Ways and Means, as Deputy Speaker, took the Chair .. .. .. .. 1670

## *MOTION.*

PARLIAMENT—ASCENSION DAY—

*Moved,* "That Committees shall not sit To-morrow, being Ascension Day, until Two of the Clock, and have leave to sit until Six of the Clock, notwithstanding the sitting of the House,"—(*Mr. Gladstone*) .. .. .. 1671

After short debate, Question put:—The House *divided;* Ayes 69, Noes 20; Majority 49.—(Div. List, No. 79.)

## *ORDERS OF THE DAY.*

**Limited Partnerships Bill** [Bill 18]—

*Moved,* "That the Bill be now read a second time,"—(*Mr. Monk*) .. 1674

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Rylands.*)

Question proposed, "That the word 'now' stand part of the Question:" —After short debate, Question put:—The House *divided;* Ayes 49, Noes 159; Majority 110.—(Div. List, No. 80.)

Words *added:*—Main Question, as amended, put, and *agreed to:*—Second Reading *put off* for six months.

**Parochial Charities (London) Bill** [Bill 23]—

*Moved,* "That the Bill be now read a second time,"—(*Mr. Bryce*) .. 1695

After short debate, Question put, and *agreed to:*—Bill read a second time, and *committed* to a Select Committee of Eighteen Members, Twelve to be nominated by the House, and Six by the Committee of Selection:—List of the Committee .. .. .. .. 1700

**Steam Boilers (Persons in Charge) Bill** [Bill 57]—

*Moved,* "That the Bill be now read a second time,"—(*Mr. Broadhurst*) .. 1700

It being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

---

PARLIAMENT—RULES AND ORDERS—SITTINGS OF GRAND COMMITTEES—

*Moved,* "That this House do now adjourn" .. .. .. 1700

After short debate, Motion *agreed to.* [5.55.]

## COMMONS, THURSDAY, MAY 3.

## *QUESTIONS.*

PARLIAMENT—MR. BRADLAUGH—Personal Explanation, Mr. E. Stanhope .. 1702

ARTERIAL DRAINAGE (IRELAND) ACTS—Question, Mr. W. J. Corbet; Answer, Mr. Courtney .. .. .. .. 1702

CUSTOMS IMPORTS—TABULATION OF BUTTER SUBSTITUTES—Question, Mr. Moore; Answer, Mr. Courtney .. .. .. 1703

POST OFFICE (IRELAND) — GLENCAR, CO. LEITRIM — Question, Colonel O'Beirne; Answer, Mr. Fawcett .. .. .. 1704

THE IRISH LAND COMMISSION (SUB-COMMISSIONERS)—MR. M'DEVITT—Question, Mr. Tottenham; Answer, Mr. Trevelyan .. .. 1704

POST OFFICE (IRELAND)—THE BELFAST LETTER CARRIERS AND THE GOOD SERVICE STRIPE—Question, Mr. Biggar; Answer, Mr. Fawcett .. 1705

ARMY (AUXILIARY FORCES) — THE ANTRIM ARTILLERY — Question, Mr. Biggar; Answer, The Marquess of Hartington .. .. 1705

PRISONS (ENGLAND AND WALES)—CONVICT LABOUR—Question, Mr. Guy Dawnay; Answer, Sir William Harcourt .. .. .. 1705

POOR RELIEF (IRELAND) BILL—OUTDOOR RELIEF—Question, Colonel Colthurst; Answer, Mr. Trevelyan .. .. .. 1706

LANDLORD AND TENANT (IRELAND) — EVICTIONS ON LORD CLONCURRY'S ESTATES AT MURROE, CO. LIMERICK—Questions, Mr. Mayne, Mr. Parnell; Answers, Mr. Trevelyan .. .. .. 1706

POOR LAW (IRELAND)—ELECTION OF GUARDIANS—MANORHAMILTON UNION —Question, Mr. Beresford; Answer, Mr. Trevelyan .. .. 1707

[*May* 3.]

*Page*

POST OFFICE—MAILS TO THE NORTH OF IRELAND—Questions, Sir Hervey Bruce, Mr. Lewis; Answers, Mr. Fawcett .. .. 1708

LUNATIC ASYLUMS (IRELAND)—DUNDRUM LUNATIC ASYLUM—Question, Mr. W. J. Corbet; Answer, Mr. Trevelyan .. .. .. 1708

PARLIAMENTARY OATH (MR. BRADLAUGH)—Question, Mr. H. S. Northcote; Answer, The Attorney General .. .. .. 1709

CONTAGIOUS DISEASES (ANIMALS) ACTS—FOOT-AND-MOUTH DISEASE—Question, Mr. Guy Dawnay; Answer, Mr. Dodson .. .. 1710

NATIONAL EDUCATION (IRELAND) — ASSISTANT TEACHERS — Question, Mr. O'Brien; Answer, Mr. Trevelyan .. .. .. 1710

ARMY AND MILITIA (NUMBERS)—DEFICIENCIES—Question, Colonel Makins; Answer, The Marquess of Hartington .. .. .. 1711

LAW AND POLICE (IRELAND)—ASSAULT BY A LANDLORD—Question, Mr. Harrington; Answer, Mr. Trevelyan .. .. .. 1712

METROPOLITAN WATER COMPANIES — RETURN OF ACCOUNTS — Question, Sir R. Assheton Cross; Answer, Sir Charles W. Dilke .. .. 1713

ARREARS OF RENT (IRELAND) ACT, 1882—ALLEGED EJECTMENTS—Question, Mr. O'Brien; Answer, Mr. Trevelyan .. .. .. 1713

POOR LAW (IRELAND)—ALLEGED ILL-TREATMENT (LOUGHREA WORKHOUSE) —Question, Mr. O'Brien; Answer, Mr. Trevelyan .. .. 1714

PREVENTION OF CRIME (IRELAND) ACT, 1882—CLAUSE 16—SECRET INQUIRIES—Question, Mr. O'Brien; Answer, Mr. Trevelyan .. .. 1715

THE PUBLIC FUNDS—TRANSFER OF STOCK—Question, Mr. Gregory; Answer, The Chancellor of the Exchequer .. .. .. 1716

INLAND REVENUE—THE INCOME TAX ON AGRICULTURAL LAND (IRELAND)— Question, Mr. Gorst; Answer, The Chancellor of the Exchequer .. 1717

INTERMEDIATE EDUCATION (WALES) — LEGISLATION — Question, Viscount Emlyn; Answer, Mr. Mundella .. .. .. 1718

UNIVERSITIES (SCOTLAND) BILL—Question, Mr. Webster; Answer, The Lord Advocate .. .. .. .. 1718

WESTERN ISLANDS OF THE PACIFIC—AUSTRALIAN COLONIES—ANNEXATION OF NEW GUINEA BY QUEENSLAND—Question, Mr. Blake; Answer, Mr. Evelyn Ashley; Question, Mr. O'Kelly; [No reply] .. .. 1718

THE POLICE FORCE—COST—Question, Viscount Folkestone; Answer, Sir Charles W. Dilke .. .. .. .. 1719

DUCHY OF CORNWALL—ESTUARY OF THE MERSEY—THE SOUTHPORT CORPORATION—Questions, Mr. Summers, Sir R. AsshetonCross; Answers, Mr. Dodson .. .. .. .. .. 1719

POST OFFICE—THE PARCELS POST—Question, The O'Donoghue; Answer, Mr. Fawcett .. .. .. .. .. 1720

NAVY—SEAMEN AND MARINES—ESTABLISHMENT OF A PENSION FUND—Questions, Sir H. Drummond Wolff, Captain Price; Answers, Mr. Campbell-Bannerman .. .. .. .. .. 1721

ARMY PAY DEPARTMENT—Question, Mr. Muntz; Answer, Sir Arthur Hayter 1721

POST OFFICE (SAVINGS BANK DEPARTMENT)—Question, Mr. Kennard; Answer, Mr. Fawcett .. .. .. .. 1722

THE LOCAL GOVERNMENT BOARD—Question, Mr. R. Power; Answer, Mr. Trevelyan .. .. .. .. .. 1723

CRIME (IRELAND)—MILTOWN MALBAY—Questions, Mr. Kenny, Mr. O'Kelly; Answers, Mr. Trevelyan; Question, Mr. Harrington; [No reply] .. 1723

PARLIAMENT—BUSINESS OF THE HOUSE — Questions, Earl Percy, Mr. J. Stewart; Answers, The Marquess of Hartington, Mr. Gladstone .. 1724

MR. BRADLAUGH AND THE NATIONAL CLUB—Question, Mr. Callan; [No reply] .. .. .. .. .. 1725

PARLIAMENT—THE COMMITTEES AND ASCENSION DAY—Question, Mr. Arthur Arnold; Answer, Sir Joseph Bailey .. .. .. 1725

## *ORDERS OF THE DAY.*

—o—

**Parliamentary Oaths Act (1866) Amendment Bill** [Bill 89]—SECOND READING [ADJOURNED DEBATE] [FIFTH NIGHT]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [23rd April], "That the Bill be now read a second time:"—Question again proposed, "That the word 'now' stand part of the Question:"—Debate *resumed* .. .. .. 1725

After long debate, Question put:—The House *divided;* Ayes 289, Noes 292; Majority 3.

Division List, Ayes and Noes .. .. .. 1821

Words *added:*—Main Question, as amended, put, and *agreed to:*—Second Reading *put off* for six months.

CONSTABULARY AND POLICE (IRELAND) [PAY AND PENSIONS]—RESOLUTION—

Resolution [May 1] *reported*, and *agreed to* .. .. .. 1825

*Moved*, "That a Bill be brought in upon the said Resolution,"—(*Mr. Trevelyan:*)—*Moved*, "That the Debate be now adjourned,"—(*Mr. Parnell:*)—After short debate, Motion *agreed to:*—Debate *adjourned* till *To-morrow.*

---

**Gas and Water Provisional Orders (Bilston Gas, &c.) Bill**—*Ordered* (*Mr. John Holms, Mr. Chamberlain*); *presented*, and read the first time [Bill 165] .. 1827

**Gas and Water Provisional Orders (No. 2) (Blandford District Water, &c.) Bill**—*Ordered* (*Mr. John Holms, Mr. Chamberlain*); *presented*, and read the first time [Bill 166] .. .. .. .. .. 1827

[1.45.]

## LORDS, FRIDAY, MAY 4.

**Representative Peers (Scotland) Bill** (No. 5)—

Order of the Day for the House to be put into Committee read .. 1828

*Moved*, "That the Bill be committed *pro formâ*, and reprinted with Amendments,"—(*The Lord Chancellor:*)—After short debate, Motion *agreed to;* House in Committee (according to order); amendments made; Bill *recommitted* to a Committee of the Whole House on *Tuesday* the 29*th instant;* and to be *printed* as amended. (No. 53.)

BRITISH POSSESSIONS ABROAD—THE ROYAL COMMISSION—Question, Observations, The Earl of Carnarvon; Reply, The Earl of Northbrook .. 1831

EGYPT (EXPEDITIONARY FORCE)—FIELD ALLOWANCES—Question, Observations, Viscount Enfield; Reply, The Earl of Kimberley.. .. 1836

FISHERIES (SCOTLAND)—Question, Observations, The Marquess of Huntly; Reply, The Earl of Rosebery:—Short debate thereon .. .. 1837

ARMY (AUXILIARY FORCES)—THE MUSKETRY REGULATIONS—Question, Observations, Viscount Hardinge, The Earl of Limerick; Reply, The Earl of Morley .. .. .. .. .. 1839

**Isle of Man (Harbours) Bill** (No. 50)—

Order of the Day for the House to be put into Committee read .. 1841

After short debate, House in Committee (according to Order); Bill *reported*, without amendment; and to be read 3ª on *Monday* next.

**Medical Act (1858) Amendment Bill** [H.L.]—*Presented* (*The Lord O'Hagan*); read 1ª (No. 52) .. .. .. .. .. 1842

[5.45.]

## COMMONS, FRIDAY, MAY 4.

*Page*

## *MOTION.*

PARLIAMENTARY OATH (MR. BRADLAUGH)—

Letter received by Mr. Speaker from Mr. Bradlaugh, one of the Members for Northampton .. .. .. .. 1842

*Moved*, "That, having regard to the Resolutions of this House of the 22nd June 1880, of the 26th April 1881, and of the 7th February and 6th March 1882, and to the Reports and Proceedings of two Select Committees therein referred to, Mr. Bradlaugh be not permitted to go through the form of repeating the words of the Oath prescribed by the Statutes 29 Vic. c. 19, and 31 and 32 Vic. c. 72,"—(*Sir Stafford Northcote.*)

*Moved*, "That Mr. Bradlaugh be heard at the Bar,"—(*Mr. Labouchere*:)—Question put, and *agreed to.*

*Previous Question* proposed, "That the Original Question be now put,"—(*Mr. Labouchere*:)—After short debate, Question put:—The House *divided*; Ayes 271, Noes 165; Majority 106.

Division List, Ayes and Noes .. .. .. 1859

Original Question put, and *agreed to.*

## *QUESTIONS.*

POOR LAW (IRELAND)—OUTDOOR RELIEF—THE UNIONS OF GLENTIES AND DUNFANAGHY—Questions, Mr. O'Brien, Colonel Colthurst; Answers, Mr. Trevelyan; Question, Mr. O'Brien; [No reply] .. .. 1862

BRITISH GUIANA—ACTION OF THE QUARANTINE BOARD—Question, Sir John Lubbock; Answer, Mr. Evelyn Ashley .. .. .. 1863

ARMY PENSIONERS—CASE OF CHARLES M'FADDEN—Question, Mr. Kenny; Answer, The Marquess of Hartington .. .. .. 1864

PARLIAMENT—CONTAGIOUS DISEASES ACTS—LEGISLATION—Questions, Lord Randolph Churchill, Sir H. Drummond Wolff, Mr. Warton; Answers, The Marquess of Hartington, Sir William Harcourt .. .. 1865

IRELAND—STATE-AIDED EMIGRATION—Questions, Mr. Sexton, Mr. O'Donnell, Mr. T. P. O'Connor, Mr. Mac Iver; Answers, Mr. Trevelyan, Lord Edmond Fitzmaurice .. .. .. .. 1867

PUBLIC HEALTH (IRELAND) ACT, 1878—41 & 42 VICT. c. 52, s. 149—INFECTIOUS DISEASES—CASE OF BARTHOLOMEW ROE—Questions, Mr. W. J. Corbet, Mr. Gray; Answers, Mr. Trevelyan .. .. 1871

MERCANTILE MARINE—LOSS OF LIFE AT SEA—Question, Sir John Hay; Answer, Mr. Chamberlain .. .. .. .. 1871

POOR LAW (IRELAND)—ELECTION OF GUARDIANS FOR THE SHILLELAGH UNION, CO. GALWAY—Question, Mr. W. J. Corbet; Answer, Mr. Trevelyan .. .. .. .. .. 1872

EGYPT—AHMED BEY KHANDEEL—Questions, Sir Wilfrid Lawson, Lord Randolph Churchill, Sir H. Drummond Wolff, Mr. Gorst; Answers, Lord Edmond Fitzmaurice; Question, Mr. O'Donnell; [No reply] .. 1872

THE NATIONAL LIBERAL CLUB—Question, Sir Herbert Maxwell; Answer, Mr. Campbell-Bannerman .. .. .. .. 1875

THE IRISH LAND COMMISSION COURT — COURT VALUERS — Question, Mr. Sexton; Answer, Mr. Trevelyan .. .. .. 1876

PARLIAMENT—MINISTER OF AGRICULTURE AND COMMERCE—Question, Lord George Hamilton; Answer, Mr. Gladstone .. .. 1877

WESTERN ISLANDS OF THE PACIFIC—AUSTRALIAN COLONIES—ANNEXATION OF NEW GUINEA BY QUEENSLAND—Question, Mr. O'Kelly; Answer, Mr. Gladstone .. .. .. .. .. 1878

PARLIAMENT—BUSINESS OF THE HOUSE—Ministerial Statement, Mr. Gladstone; Questions, Sir Stafford Northcote; Answers, Mr. Gladstone, The Chancellor of the Exchequer .. .. .. 1878

[*May* 4.]

Page

PARLIAMENT—BUSINESS OF THE HOUSE—LORDS ALCESTER AND WOLSELEY ANNUITIES BILLS—Question, Sir Wilfrid Lawson; Answer, Mr. Gladstone .. .. .. .. .. 1880

POOR RELIEF (IRELAND) BILL — Question, Mr. Sexton; Answer, Mr. Trevelyan .. .. .. .. .. 1880

## *ORDERS OF THE DAY.*

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

RAILWAY COMMISSION—RESOLUTION—Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "it is expedient that the Railway Commission be made permanent and a Court of Record; and that, in general conformity with the recommendations of the Committee, the powers of the Commission be extended; and that, on application by a Railway undertaking for Parliamentary powers, a locus standi be afforded to Chambers of Commerce and Agriculture, and similar bodies, and to persons injuriously affected by the rates and fares sought or already authorised in the case of such undertaking,"—(*Mr. B. Samuelson,*)—instead thereof .. .. 1881

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put, and *negatived.*

Words *added:*—Main Question, as amended, put, and *agreed to.*

SUPPLY—

*Moved,* "That this House will, upon Monday next, resolve itself into the Committee of Supply,"—(*Lord Richard Grosvenor*) .. .. .. 1915

Amendment proposed, to leave out the words "upon Monday next," in order to insert the word "immediately,"—(*Lord Randolph Churchill,*) —instead thereof.

Question proposed, "That the words 'upon Monday next' stand part of the Question:"—After short debate, *Moved,* "That this House do now adjourn,"—(*Mr. Molloy:*)—After further short debate, Question put:— The House *divided;* Ayes 49, Noes 83; Majority 34.—(Div. List, No. 83.)

Question again proposed, "That the words 'upon Monday next' stand part of the Question" .. .. .. .. 1930

After short debate, Question put:—The House *divided;* Ayes 76, Noes 40; Majority 36.—(Div. List, No. 84.)

Main Question proposed, "That this House will, upon Monday next, resolve itself into the Committee of Supply" .. .. 1937

After short debate, Main Question put, and *agreed to.*

**Constabulary and Police (Ireland) (Pay and Pensions) Bill**—

Order read, for resuming Adjourned Debate on Question [3rd May], "That a Bill be brought in upon the said Resolution" (from Committee on Constabulary and Police (Ireland):—Question again proposed:— Debate *resumed* .. .. .. .. 1941

*Moved,* "That this House do now adjourn,"—(*Mr. O'Brien:*)—Motion, by leave, *withdrawn.*

After debate, Question put, and *agreed to:*—Bill *ordered* (*Mr. Trevelyan, Mr. Courtney, Mr. Herbert Gladstone*); *presented,* and read the first time [Bill 171.]

## *MOTIONS.*

**Tramways Provisional Orders (Aldershot and Farnborough, &c.) Bill**—*Ordered* (*Mr. John Holms, Mr. Chamberlain*); *presented,* and read the first time [Bill 167] .. 1954

[*May* 4.] Page

**Tramways Provisional Orders (No. 2) (Birmingham and Western District, &c.) Bill**—*Ordered* (*Mr. John Holms, Mr. Chamberlain*); *presented*, and read the first time [Bill 168] .. .. .. .. .. 1954

**Tramways Provisional Orders (No. 3) (Colchester, &c.) Bill**—*Ordered* (*Mr. John Holms, Mr. Chamberlain*); *presented*, and read the first time [Bill 169] .. 1954

**Local Government Provisional Orders (No. 3) (Bethesda, &c.) Bill**—*Ordered* (*Mr. Hibbert, Sir Charles Dilke*); *presented*, and read the first time [Bill 170] .. 1594

[2.15.]

# LORDS.

## NEW PEER.

Thursday, April 12.

Sir Frederick Beauchamp Paget Seymour, G.C.B., Admiral and Commander-in-Chief of Her Majesty's Naval Forces in the Mediterranean, created Baron Alcester of Alcester in the county of Warwick.

## SAT FIRST.

Friday, April 27.

The Lord Wemyss (The Earl of Wemyss and March), after the death of his father.

# COMMONS.

## NEW MEMBER SWORN.

Friday, April 20.

*Westmeath County*—Timothy Harrington, esquire.

# HANSARD'S

# PARLIAMENTARY DEBATES,

IN THE

*FOURTH SESSION* OF THE *TWENTY-SECOND PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 29 APRIL, 1880, IN THE FORTY-THIRD
YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

THIRD VOLUME OF SESSION 1883.

---

## HOUSE OF COMMONS,

*Wednesday, 11th April,* 1883.

MINUTES.]—PUBLIC BILLS—*Ordered—First Reading*—Copyright* [141].
*First Reading*—Customs and Inland Revenue * [140].
*Second Reading* — Elective Councils (Ireland) [16], *put off;* Glebe Loans (Ireland) Acts Amendment * [136].
*Considered as amended—Third Reading*—Bills of Sale (Ireland) Act (1879) Amendment * [105], and *passed.*

### *QUESTIONS.*

### THE IRISH MAIL CONTRACT—REGISTRATION OF VOTERS (IRELAND) BILL.

MR. DAWSON said, he would postpone until next day his Question to the Secretary to the Treasury, with regard to the Irish mail contract; and he begged now to ask the Chief Secretary to the Lord Lieutenant of Ireland, When he will bring in his promised Bill for the Amendment of the Registration of Voters' Laws in Ireland?

MR. TREVELYAN: Sir, in answer to this Question, I can only say that I will introduce the Bill at the earliest possible opportunity. The Government are extremely anxious to consult with the hon. Member who put the Question, and it is also absolutely necessary carefully to consult with the hon. Member for Kildare, whom I hope to see in a few days, and to whom it is owing that the question is so far advanced.

COLONEL KING-HARMAN asked the hon. Member for Carlow (Mr. Dawson), whether, under the circumstances, he would not now withdraw his Bill?

MR. TREVELYAN: Sir; for certain reasons I cannot advise the hon. Member to withdraw the Bill. I may say that the two Bills are in some respects similar.

## *ORDER OF THE DAY.*

## ELECTIVE COUNCILS (IRELAND) BILL.

(*Mr. Barry, Mr. Healy, Mr. Justin M'Carthy, Mr. T. P. O'Connor, Mr. Sexton.*)

[BILL 16.] SECOND READING.

Order for Second Reading read.

MR. BARRY, in moving that the Bill be now read a second time, expressed his regret that the hon. Member for Wexford (Mr. Healy), the author of the measure, who was so thoroughly acquainted with the subject, was not present to take charge of the Bill. That he thought was also a subject of general regret in the House, because his hon. Friend had given a great deal of attention to this question, and they all knew the great ability he could bring to bear upon it. It was fortunate for him (Mr. Barry) that the principle upon which the Bill was founded had been frequently endorsed and confirmed by Parliament. The principle of the Bill, that taxation and representation should go hand in hand, was recognized in this country as a fundamental principle, and had been confirmed by that House many times. The question of Grand Jury and Presentment Sessions reform in Ireland had been frequently the subject of Parliamentary investigation. So far back as 1840 a Royal Commission consisting entirely of representatives of the Grand Jury class, and therefore not likely to make any suggestions of a sweeping character, was appointed. In 1842 that Commission reported very strongly in favour of an amendment of the law. Dealing with Presentment Sessions, the Report pointed out how the intentions of Parliament to give the ratepayers some control over the expenditure of the rates had been frustrated, the associated cesspayers being appointed by the Grand Juries. There were instances of men so appointed being unable to read or write, or being deaf and dumb; while persons who had no property in the district sometimes outvoted those who were nominated to represent the ratepayers. But, though the Royal Commission had reported more than 40 years ago, and though the flagrant evils of the system were then brought out in the evidence, nothing was done. In 1849 the Government, by the hands of Sir George Grey, introduced a Bill, the leading proposal of which was that two-thirds of the ratepayers' representatives should be elected, and the remaining third selected by the magistrates. The Bill was moderate in its terms; but it shared the fate of many others and was dropped. Sir George Grey promised that the Bill should be re-introduced next Session; but the promise was not kept. Nothing was done until 1855, when the initiative was taken, not by the Government, but by Sir Denham Norreys, who introduced a Bill very similar in its general principle to the Bill brought in by Sir George Grey in 1849. The Bill was defeated; it was re-introduced in 1856 and 1857, and met with the same fate on each occasion. In 1861 the late Mr. Isaac Butt, then sitting as a Conservative, brought forward a Motion, asking for a Committee to inquire how far the principle of popular representation might be utilized in county government in Ireland. He was answered by Mr. Cardwell, that inquiry was unnecessary, as the principle of popular representation in fiscal matters was already conceded, and was invited by him to introduce a Bill based on the representative principle. But Mr. Butt, who knew what the fate of such a Bill would be in the hands of a private Member, pointed out that the duty of introducing a measure lay on the shoulders of Her Majesty's Government. Nothing further was done until 1868, when a Select Committee, over which The O'Conor Don presided, was appointed to inquire into the whole Grand Jury system. A copious Report was issued, in which it was shown that neither the Grand Jury nor the Presentment Sessions were of a representative character, the Grand Jury being nominated by an individual, and its members not necessarily connected with the country, while the associated cesspayers were selected by the Grand Jury, and, therefore, were not real representatives of the ratepayers. They recommended that the Presentment Sessions should be made independent of the Grand Jury, and should represent the ratepayers of the barony; but nothing was done. The subject of Grand Jury reform slept till 1875, when the late Mr. Isaac Butt introduced a Bill very similar in principle to the Bill he was about to introduce, the chief difference between the two schemes being that Mr. Butt's Bill proposed to select from each barony three ratepayers and one magistrate. He did not think anybody at this time of day could charge Mr. Butt with very revolutionary ideas or intentions, and he thought, after the lapse of seven years, his proposals would be recognized generally as moderate and statesmanlike. If that Bill had been passed a great deal of the late social disturbances in Ireland would have been avoided. On the occasion of that Bill, which met with a good deal of support in the House, Mr. Hugh Law, now Lord Chancellor of Ireland, expressed a remarkable opinion to the effect that it seemed then to be universally admitted that the present system was one which could not be maintained, and that the representative system was the only one that could satisfactorily carry out the fiscal arrangements in Irish counties. Mr. Butt secured considerable support for that Bill, 125 having voted for it and 170 against it. Among other influential supporters of Mr. Butt's Bill he found the names of Mr. Trevelyan, Sir Charles W. Dilke, Mr. Fawcett, Mr. J. K. Cross, Sir Henry James, Mr. Campbell-Bannerman, and a great many other leading Liberals; but a Tory Government was then in power. Nothing further was done in the matter until 1879, when Sir Michael Hicks-Beach, then Chief Secretary to the Lord Lieutenant of Ireland, introduced a measure for Grand Jury reform; but that Bill left the powers of the Grand Jury almost intact, and did not touch the great defect of the existing system; and the fact remained that evils which were acknowledged 40 years ago by a Royal Commission, constituted entirely of Grand Jurors, were still unredressed. A different state of things took place in 1881, when the present Government came into power. In the Queen's Speech of that year it was stated that a measure dealing with the subject of popular representation would be submitted, which, however, was not persevered in; but he believed that if it had been persevered in a great deal of the internal trouble which had since taken place would have been averted. In the Bill he was about to move, the aim and object of the Government, as indicated in the Queen's Speech of 1881, were fairly met. It was based upon popular representation, and it was intended to transfer the power of county government from what was practically a self-elected and irresponsible body, to a body duly and popularly elected, for the control of the finances of the counties. That was the beginning and end of it—that it would substitute in Ireland for a system which had received condemnation over and over again by Parliamentary inquiry, and by the admission of Ministers, a system which would have the confidence of the people, because it would be the creation of the people. Following this great fundamental advantage, the Bill would establish something like a continuous authority in the counties. One of the greatest defects of the present law was this—that it was only during 12 days in the course of the year that the Grand Jury authority was practically in existence. The officials of the Grand Jury certainly existed; but he regarded that as an unmitigated evil, because it was open to every kind of corruption. But he was not so much dealing with detail as with the principle involved, and he claimed for the Bill that one of its most important and valuable features was that the authority created under the County Councils proposed would be permanent and continuous. Those Councils would exercise a permanent and regular check upon the expenditure of the county, and over the county officials, all of whom were absolutely under the present system. Then it would be observed that there were to be baronial divisions as representing the unit from which to elect the County Councils. He was aware that certain objections could be urged to the baronial divisions, because they varied so greatly in number in different parts of Ireland. For instance, he believed the county of Cork possessed something like 23 baronies, whilst others only possessed five or six; but having considered the question fully, he had come to the conclusion that for the election of the first Council under the Bill it would be better than having the ordinary electoral divisions. The Bill did not propose to interfere with the present powers of the Grand Jury with regard to framing indictments. It only dealt with the fiscal aspect of the question. Although this was a measure of 41 clauses, only a limited number of them were what could be considered vital, the rest being either consequential or dealing with matters of detail. The 8th clause dealt with the powers of the Council, and was simply a transfer of the powers of the Grand Jury, with the addition that the Council of every maritime county should have power to elect representatives to the Harbour, Port, Dock, and Improvement Boards. Under the present system, although the people were deeply interested in the harbours, they had no voice in the election of the Harbour Boards. Clause 9 dealt with the nomination of Sheriffs. It gave to County Councils the power to nominate persons for the office of Sheriff as the Municipal Councils did at present under Mr. Butt's Bill of 1876. That Bill had produced a general feeling of satisfaction in Ireland, and for that reason he had inserted this clause in the present Bill. The 10th clause dealt with the nomination of Justices, and on this point the hon. Member observed that when it was remembered that an enormous majority of the magistrates were Protestants, opposed in feeling and sentiment to the great mass of the people, it was impossible for any man of common sense to expect that the law, in the hands of such administrators, could command the confidence and respect of the people of Ireland. His object was that the administrators of the law should, to a certain extent, be in sympathy with the bulk of the people. This was no new experiment, for in Scotland the Bailies Act gave the utmost satisfaction. He could readily understand that that was a point calculated to give rise to a good deal of warm contention; but he had no desire to import into the discussion any sectarian feeling. He should be only too glad if that feeling could be banished from Ireland. He believed that this clause would remove a great deal of the jealously which at present existed. Clause 22 dealt with the management of asylums, on which an immense sum of money was annually spent, and in those circumstances it was essential that they should be to a certain extent under popular control. At present they were really governed by the Inspectors, who were not only the inspecting authority, but also the central controlling authority. There could be no doubt that such a system opened the door to a great deal of corruption, favouritism, and officialism. At present the Inspectors had to report to themselves any grievances that they found existing. Theoretically, he acknowledged, there was a superior authority in the person of the Lord Lieutenant of Ireland; but, as a matter of practice, his interference was never called into play with respect to the asylums. Instead of there being two Inspectors, as at present, it proposed that Governors should be appointed, a fourth of whom should be nominated by the Lord Lieutenant. The remaining clauses referred to matters of detail, and could be discussed in Committee. He could fairly anticipate the objection that would be raised to the Bill. It would be said that a period of wild political excitement and internal convulsion was not the time for making concessions to popular demands. [Colonel KING-HARMAN: Hear, hear!] The hon. and gallant Member said "Hear, hear!" but he would find that concessions were invariably followed by beneficial results, and the proper time to make a concession was when the feeling of the people was unmistakebly pronounced in favour of popular rights. For that reason he believed the time had arrived for making concessions. He asked the House not to refuse this moderate concession to the demand of the Irish people, his aim being that the humblest Irishman might feel that he had a voice in the government of his country.

Motion made, and Question proposd, "That the Bill be now read a second time."—(*Mr. Barry.*)

COLONEL KING-HARMAN said, that when he saw this Bill for the first time his impression was that it was a kind of practical joke; but when he looked closely into it and saw on its back the names of the Gentlemen who supported it, he began to perceive that it was one of those jokes like the dynamite explosion at Salford; a joke made up of promises held out by agitators, drawing the people away from the paths of truth and honesty in pursuit of an *ignis fatuus.* The hon. Gentleman argued that the feelings of the people had been wrought up to such a pitch of mild political excitement that it was incumbent upon the Government to yield to their demands. Why, this was the mild excitement that culminated in the Phœnix Park murders, and in the discovery of nitro-glycerine factories in different parts of the country, and it was to this mild social disorder and excitement that the Government were now called upon to yield. [Mr. BARRY: I said "wild."] He took down the words of the hon. Member, and he certainly thought he said "mild." With regard to the Grand Jury system, he felt himself competent to speak, because he had for a number of years been in the habit of serving on those Juries. The hon. Member said there was no qualification for the Grand Jury. He believed that was so in law; but he defied him to show him an instance of a person having sat on a Grand Jury without a property qualification except in the case of a Member for the county. [Mr. CALLAN: A case occurred in County Louth.] Notwithstanding the remark of the hon. Member, he believed he was correct. The Grand Jurors were either owners of property or representatives of property, such as land agents. The hon. Member had spoken of Mr. Butt's proposals. He entirely agreed with him that had they been accepted much excitement would have been set at rest. But the present proposals of the hon. Member were entirely different from them. He was aware that in the Speech from the Throne of 1881 something was said about local self-government in Ireland; but from what had happened since the Irish people had shown no capacity for such government, and had, in fact, retrograded 50 years. Without going over the history of the question which had been given them by the hon. Member, he would turn at once to the Report of the Committee presided over by The O'Conor Don in 1868. That Report said that the Commissioners had carefully considered the Grand Jury system, and had come to the conclusion that its administration was generally pure and economical. Another recommendation was that the authority of Grand Juries in county fiscal matters should not be done away with. Now, however, hon. Members below the Gangway wanted to abolish Grand Juries. He would remind them that the Resolution brought forward by the hon. Member for Wexford in 1881 did not propose the abolition of Grand Juries, although it advocated their reform. Many of the Bills which had been brought in on this subject contrasted remarkably with the measure now before the House. For example, the Bill introduced in 1879 by the hon. and gallant Member for Galway (Major Nolan) laid down that to be qualified to become a member of a County Board a man must be a registered elector or an owner of property. But under the present Bill any professional agitator, any stump orator might be elected on a Council and Finance Committee with such salary as the Council might appoint. Provisions of that kind explained the real object of the Bill. The hon. Member who had proposed the second reading of the measure stated that care had been taken to avoid making any sweeping change. At the same time he proposed to do away with the powers of Grand Juries over fiscal matters, with the Prerogative of the Crown in connection with the appointment of Sheriffs, and with the prerogative of the Lord Chancellor in connection with the appointment of magistrates. He should like to know how these could be held not to be sweeping changes. As to the proposals which were made with regard to the control of lunatic asylums, they might be thought useful by those who accepted the principle, *Similia similibus curantur.* Clause 26 of the Bill provided that property now held by the Grand Jury for any county should become the property of the Council of such county. As many Grand Juries possessed valuable collections of plate, besides other costly property, he had no doubt that the supporters of this Bill would be very glad if that property were to change hands. The Government, he held, could not agree to the second reading of the Bill; and he implored them to affirm their opposition to the measure in no halting or doubtful terms, and not to hold out the slightest encouragement to those who were continually flooding the Legislature with Bills of this kind in order to prove how active they were to their constituents in Ireland, which country they only visited for the purpose of delivering stump orations. The Bill did not provide any qualification for members of the County Councils it sought to set up, so that any agitator or stump orator, though wholly unconnected with the county, could be elected as a member of the Council and Chairman of the Finance Committee, and even be made treasurer of the county funds, with such salary as the Council might settle.

In that fact he thought he saw one of the main objects of the measure. Let the Government distinctly declare that they would grant no concession to such agitators, but would allow the country to return to a state of rest and peace after they had banished from their midst agitation and agitators. When the people should have learnt the duty of assisting the law and discountenancing agitators, some measure of self-government might possibly be granted to them. He begged to move that the Bill be read that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Colonel King-Harman.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. J. N. RICHARDSON did not intend to vote for the Bill under consideration. In the abstract he approved of it, as he wished as much as any man could to see a reform of the Grand Jury Law in Ireland. He was not, however, under so serious a pledge as his hon. Friend the Member for Monaghan, who, at a recent public meeting in the North of Ireland, had pledged himself to see the Grand Jury system buried 20 feet under ground. [Mr. Givan: Twenty-five.] He considered that it was but fair that the landowners of the country should have an influence in the arrangement of local taxation, and if he saw introduced a good and comprehensive scheme of County Councils it should have his entire approval. The Bill contained, however, a principle which in the abstract he entirely approved, and which the constituences in the part of Ireland from which he came were extremely interested in—namely, that representation should follow taxation. The man who paid the piper ought undoubtedly to be consulted about the tune to be played. After the subject of Land Reform no question attracted greater interest in county constituencies than the question of the reform of the Grand Jury system. That system, having served its day in Ireland, ought, in his opinion, to be considerably modified, as it now contained many anomalies. There were, for example, in more than one county, gentlemen who paid as much rates as five or six members of the Grand Jury taken together, but who never were summoned to attend the Grand Jury. He should heartily support a good and comprehensive scheme for the creation of County Boards in Ireland whenever it came before the House; but he thought that any measure for carrying out such a scheme should be brought forward on the responsibility of Her Majesty's Government, and he hoped that the Government, at some time not far distant, would deal with the question. His objection to the present Bill was that it did not give due regard to all the great interests involved in the proposed change. The measure appeared to be intended to eliminate altogether the fair influence of the landowners. In counties where there was an influential middle class not much injustice might be done if the Bill were passed, but in counties where there was a general absence of such a middle class the effect would be more or less to hand over the property of those who had anything to many who had a minus quantity, to be dealt with in a very primitive fashion. He objected to the appointment of Sheriffs and magistrates by County Boards. The present system of appointing magistrates was far from perfect. Lord Lieutenants were quite too frequently absentees, and knew nothing of the county, nor of those gentlemen who were qualified to receive the Commission of the Peace—they were too apt to regard their high place as one of ornament, and to neglect the serious duties which attached to it; and when names suitable for the Commission of the Peace were placed before such, they treated them in a very cavalier way. The process of being snubbed by the Lord Lieutenant of one's own county was, no doubt, a salutary one, but somewhat painful, and he would frankly own to the House that he (Mr. Richardson) had undergone that process pretty thoroughly; still, in his opinion, it was better that these appointments should come from a source above rather than beneath those who received them. He believed that the establishment of County Boards, with proper checks and safeguards, would create a healthy public feeling in Ireland, and that it would induce the energetic spirits of Ireland to come forward and take part in the management of local affairs, instead of devoting themselves to the abuse of the unfortunate British Government. He thought that the present disloyalty of Ireland was due in a large degree to the excellence of the police, who had put an end to the old faction fights which had provided an outlet for that Irish courage which, otherwise directed, had been of so much service to the Empire.

Mr. MACARTNEY, while agreeing with the principle of the Bill which had been brought forward for the purpose of reforming county government in Ireland, regretted it should be framed in such an outrageously unreasonable manner that its fate in that House was almost certain. It had been alleged that the election should be entirely in the hands of occupiers, inasmuch as they were the persons who paid the county cess; but that involved a fallacy, for in the letting of their lands the owners always took into consideration that their occupiers would have to pay this cess, and reduced their rents proportionately. The Grand Jury system of taxation in Ireland was little understood in this country, and he could best explain it by stating that it was something analogous to that of Imperial taxation by Queen, Lords, and Commons. The Barony Sessions represented the popular element, the Grand Jury the House of Lords, and the Judge of Assize the Sovereign. When a presentment passed the Barony Sessions or the Grand Jury the Judge gave it his fiat, when it at once became obligatory. He had always thought that the Grand Jury system in Ireland ought to be reformed, and that the owners and the occupiers of land ought to be equally represented. He did not believe that a measure of this kind need be postponed until the country was throughly tranquil, for he was afraid with the present organizations for preventing tranquillity that Ireland would not be tranquil for some years. He thought, however, a much more complicated system would be required than the hon. Member proposed. The provision in the Bill for appointing a permanent Finance Committee, with a paid Chairman, he looked upon as most mischievous. If the Bill was to appoint Sheriffs and magistrates, he did not see why they should not take from the Lord Lieutenant of the county all the power that remained to him, and appoint the officers of the Militia, of the Yeomanry, and of the Police. Nobody wished more sincerely than he did to see the Grand Jury system in Ireland altered; but he felt that such a reform ought to be the work of the Government and should be totally unconnected with politics, that the work of the Boards should be only fiscal and have nothing to do with criminal matters, and that half the representatives should be elected by the ratepayers and half by the owners of property.

Colonel NOLAN thought that the Bill ought to be supported as a measure that was needed, and that in Committee, or when it was referred to a Grand Committee, it might, with advantage, be modified in some particulars, so as to remove its objectionable features. The leading point was, whether they wanted the present system modified at all or not? If they did want to have it modified, he thought they ought to accept almost any Bill that was put before them, and then alter it in Committee. The barony was a very inconvenient unit for the county, and he would prefer for that purpose the present Parliamentary division or the Poor Law Union. He could not understand how anyone acquainted with Ireland could support the present system. It was asked how County Boards would conduct business better than the Grand Juries, which were inclined to be economical? He admitted that they were; but they distributed the offices among their own friends, and the people of the country would very much prefer that some popular man should have a chance of becoming, for example, secretary to the Grand Jury, instead of having all appointments monopolized by a small clique. His great reason, however, for advocating County Boards was not that the county business would be better managed, but because there was a great deal of work which ought to be done in Ireland and was not done at all, and County Boards would naturally undertake that work. The right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) had recently said that it was the fault of Irishmen if they did not get money for drainage works and railroads. At present none but landlords could form themselves into a Drainage Board, and, as a rule, landlords had now no interest in doing so. County Boards would be able to undertake such drainage works as might be required in the county, while the Local Government Board could provide engineers to see how the works were carried out. And so with regard to railroads. Unfortunately at the present moment Ireland had but few large landed proprietors, and such were the men who would naturally take up these operations. Since that was the case, less wealthy people ought to be allowed to combine, and County Boards would furnish the proper medium for doing so.

Mr. SEXTON pointed out that the House was then engaged on the principle of the Bill, and if that were admitted, the details of the measure might be dealt with in Committee. What was the principle of the Bill? It had been fairly stated that those who contributed to the funds used for county finance in Ireland should dictate the use of that money. He acknowledged the reasonableness of the tone of the hon. Gentleman the Member for Tyrone, though he must dissent from his auguments; for he had said that, although the tenant in Ireland paid the county cess, it might be assumed that, in fixing the rent, allowance was made for the cess by the landlord; but it was evident that the Legislature thought otherwise, and was of opinion that the rent and county cess were entirely independent matters. The hon. Gentleman had contradicted himself, for in one breath he had argued that the rent was fixed upon the assumption that the cess should be paid by the tenant, and at the same time admitted that he would divide the county cess between the landlord and the tenant. The hon. Gentleman had compared the system in Ireland to the Crown, the Lords, and the Commons; but he could not have chosen a more unhappy comparison. Of those three co-ordinate Powers, the Commons were the Representatives of the people; whereas in the present system in Ireland it was all the Crown, and not the people. It was the Crown who nominated the Judge and nominated the Sheriff, who selected the Grand Jury for the county by whom the cesspayers were fixed. The hon. Gentleman the Member for Armagh (Mr. J. N. Richardson) appeared to have taken up the *rôle* of the statesman on the present occasion. He had spoken with a solemnity of manner and ponderosity of phrase which might almost have been mistaken for wisdom; but he (Mr. Sexton) thought that impression would soon disappear on a little scrutiny. He doubted whether the hon. Gentleman had very carefully read the Bill, for he had said that the object of it was to take property from those who had it, and give it over into the hands of those who had none. All that they asked by the Bill was that those who paid the money into the county funds should have a reasonable power of saying how that money should be applied. It had been said that a Bill of this kind ought to have been brought forward by the responsible authorities. No doubt, it should be so; but why did they not do it? Ever since 1840 Committees had been reporting on the necessity of a reform of the Grand Jury system in Ireland. The Chief Secretary to the Lord Lieutenant of Ireland, who had in his hands powers for the repression of crime as terrible as ever Cromwell could imagine, eight years ago voted for a Reform Bill on this question, and the Prime Minister last year, in language of great force, expressed his eagerness and readiness to deal with this question of local self-government; and, above all, the Queen's Speech in 1881 said that a measure would be introduced founded upon representative principles, and framed with the double aim of confirming public control over expenditure, and of supplying a yet more serious want—namely, the extension and formation of habits of self-government. Was not the hon. Gentleman aware that that which the Government he admired so much had put into the mouth of Her Majesty had never been attempted? He agreed with the hon. Member when he said that a Bill of this description should be brought forward by the responsible Government; but if the responsible Government abnegated its functions, it was but a poor plea for an Irish Representative to say that he would not support a reasonable Bill because the Government had neglected their duty. He complained of the speech of the hon. and gallant Member for Dublin County (Colonel King-Harman), who seemed to treat this Bill as a practical joke, and had indulged in personal attack instead of meeting the case by argument; but it could not be otherwise than admitted by every Member of the House, that the character of the Grand Jury system in Ireland was indefensible. Hon. Members had talked about dynamite; but that had no connection with the subject before the House, which was a non-explosive subject, and he believed the time of the House would be saved, and the value of the debate increased, if they endeavoured to confine themselves strictly to the subject of the Bill. The hon. and gallant Member could not deny that Grand Jurors possessed no more power than land agents. The hon. and gallant Member reminded the House that he had voted in favour of Mr. Butt's Land Bill; but he would also remind the House that the hon. and gallant Member voted for the second reading of Mr. Butt's Home Rule Bill, though now he refused to intrust these smaller Irish questions to Irishmen themselves. Surely it was not proper to intrust the care of public funds to those who did not themselves contribute to them; such a course must inevitably lead to jobbery and corruption. It was impossible to say that the Grand Jurors of Ireland exercised their powers properly. Questions of expenditure should be based upon the representative principle. He denied that this Bill proposed, as it was alleged, to deal with the property of the Grand Jurors. He appealed to the Chief Secretary to the Lord Lieutenant of Ireland to devote his attention to the principle of the Bill, and not to be led away from the consideration of that principle by the red herring drawn across it by some hon. Members. The principle of the Bill was that those who contributed to county funds should have the administration of them. That principle had been already on former occasions recognized and admitted by the Government. It was absolutely necessary that some change should be made in the mode of nominating magistrates, for under the present system they utterly failed to represent the feelings of the people. After three years of a social movement in Ireland, which had created deep feelings of hostility between different classes, he contended that it was now more necessary than ever not to confine the administration of justice in Ireland to a class so remote from the people, and so distrusted by the people, but to admit as regarded the Magisterial Bench some such principle of elective power as was put forward in this Bill, and thus increase the confidence of the people in the administration of the law. He congratulated the hon. Member for Leeds (Mr. Herbert Gladstone) on the view be had taken on this question, inasmuch as he appeared to be the only occupant of the Treasury Bench who had an intelligent conception of the wishes and desires of the Irish people. If the hon. Member continued in the same path he predicted for him a greater future than if he contented himself with being the humble supporter of any Administration. He had deserved the thanks of the Irish people for the description he had given of Castle officialism in Ireland. The right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland had carried out one of the articles of the Liberal policy in Ireland—repression; let him now carry out the other article—reform; but to this the Government seemed averse, for out of the surplus announced the other day not a single penny was devoted to the relief of the starving people of Ireland. When the right hon. Gentleman was asked to assist these poor people he raised the bogey of economic science. He (Mr. Sexton) warned the Government that if they adhered to their present policy it would only lead to the expatriation of the Irish people. That policy was an outrage on humanity and an abnegation of the requirements of plain duty; and in saying this he was but echoing the warning of the Bishops of Connaught. The Government was nothing but a Government of repression. It presented always its clenched fist, and never its open hand; and whatever interpretation might be given to the language he was using, he would warn the Government of the fatality of the course they were pursuing. The man who spoke a warning was the truest friend of peace, and the worst was he who turned a deaf ear to it.

Mr. SHAW thought the question ripe for settlement, and expressed his surprise that the hon. and gallant Member for Dublin County (Colonel King-Harman) was opposed to a settlement of it, because if it was the interest of anyone to have the question speedily settled, it was the interest of the Irish landowners; and he thought the present a most fitting time for it. This Bill was, however, imperfect in several respects. He thought provision should be made for the establishment of some initiative body to which the business of any particular district might be referred. The Poor Law Board of a district seemed suitable for this purpose, for it was generally established close to a town, and possessed the necessary machinery. Then above this body would come the County Board, upon which the poorer classes should be adequately represented. Again, what was wanted in Ireland was a central body in Dublin, to take up questions of public interest which could only be dealt with imperfectly by that House—for instance, questions of railway accommodation and water supply, which were dealt with by Committees of the House only at enormous expense. He thought nothing was more essential to the peace and prosperity of Ireland than the settlement of this question of establishing a central body, the County Board, to look after the local interests of the country — a body that would be purely a business, not a political body—the question which they were all interested in settling in the best manner possible, in such a way that it would not be subject to the contention of political Parties. Nothing could be done this Session; but, under the circumstances, he would suggest that a Royal Commission should be appointed to sit in Dublin for the purpose of taking evidence on this question. If a Royal Commission were appointed to collect evidence, its Report would supply a firm basis for legislation; and thus they would be spared the introduction of a measure prepared by political economists and theorists, and unsuited to the circumstances of the country.

Mr. BLAKE said, he felt very much like "the last rose of summer," for of the 17 Members appointed upon a Select Committee in 1868 to inquire into the Irish Grand Jury system, he was now the only one who still sat in that House. Some had gone to join the majority, and others last Election were left in the minority. That Committee made some recommendations which he approved, but not one of them had been carried out. He could not support the proposal of the hon. Member who had just sat down, to the effect that the Government should issue a Royal Commission to inquire into the matter, for he believed that nothing could be added to the information which the House already possessed. Members representing the popular cause in Ireland were systematically excluded from Grand Juries. His own was a case in point, for he had never been summoned to serve on a Grand Jury, the reason of his exclusion being, he believed, his political opinions. He denied the statement of the hon. Member for Cork County (Mr. Shaw), that politics were never introduced at the meetings of the Grand Juries. Let a situation be about to be given away, and politics would soon exhibit itself in the selection of the candidate. The Grand Juries were entirely a creation of the Sheriffs. When a Tory Lord Lieutenant presided over the affairs of a country, as a rule a Liberal had not the same chance—chance, indeed!—of being appointed as magistrate, as compared with a Conservative. The Governors of lunatic asylums were mostly the nominees of Inspectors; the ratepayers, who paid the entire charge for lunatics, having no voice in the appointment of the Governors. The hon. Member, having criticized in a similar spirit the mode of election to Harbour Boards and other official bodies, concluded by expressing a general concurrence with the speeches delivered by the hon. Members for Sligo and the county of Wexford.

Sir HERVEY BRUCE said, that while admitting that the Grand Jury system might be amended with regard to the election of cesspayers, he thought that the Bill bristled with the most revolutionary doctrine that had ever been brought before the House. If the power of appointing the Grand Jury was left to the Sheriff, the result would be, as recent elections had shown, that men who would find true bills against a certain class of criminals would not be summoned on the Grand Jury. The cesspayers often forced the magistrates into expenditure which they were unwilling to incur. He agreed that there ought to be a system of election in the appointment of the cesspayers who served with the Grand Juries, and that not more should be elected than the number who could act. No one would hear with greater pleasure than himself that the Government had resolved to reform that part of the Grand Jury system; but if the right hon. Gentleman (Mr. Trevelyan) gave the slightest hope of supporting a Bill such as that before the House, he was afraid the confidence which had been accorded to him largely and freely on that side of the House would be greatly diminished. He hoped the right hon. Gentleman would hold out no encouragement to the promoters of this Bill so long as the spirit of disorder and misrule prevailed in Ireland.

Mr. T. A. DICKSON said, that, although he strongly objected to many of the clauses, he should, at the same time, vote for the second reading of the Bill merely as a protest upon his part against the present system, which had now grown to be intolerable. They had a distinct promise from the Government that this question of Grand Jury reform should be dealt with during their tenure of Office. He thought the proposal of the hon. Member for the county of Cork (Mr. Shaw) to refer the question to a Royal Commission was a dangerous one, as it really meant the shelving of the question for an indefinite time. The hon. Member for Wexford (Mr. Barry) said that 40 years had elapsed since an inquiry had been held on the subject. He regarded that as rather a hopeful sign than otherwise. On the average about 40 years were required in order to ripen any Irish question. It was in 1835 that Mr. Sharman Crawford first brought forward the question of tenant right, and it was not till 1881 that the question was settled. The present system gave to one class the privilege of fixing the amount of taxation, and to another the sole privilege of paying. Nearly £1,500,000 was annually paid in the shape of county cess, and the cesspayers had no voice in its imposition. He was one of the largest cesspayers in his district, and he had never been summoned to the Grand Jury, as his politics were not acceptable to the ruling class of the neighbourhood. The foreman of the Grand Jury in that district did not contribute 6*d.* to the cess, and another Grand Juror only paid about 10*s.* That was the system which hon. Gentlemen opposite looked upon as satisfactory. There was no record kept of the amount of taxation, and the public had no means of knowing what the amount imposed really was. Then it was discovered that the collector had actually obtained payment of 3*d.* or 4*d.* in the pound more than had been fixed by the Grand Jury. What was required was the total abolition of the Grand Jury system, and the building up of County Boards in substitution. He was afraid the days of Grand Jury reform were long since passed, and what they wanted now was Grand Jury abolition. The Government must be prepared to build a system of government, not on the rotten foundation of the old Grand Jury Act, but on a sound basis, which should give the ratepayers who contributed the taxes a voice in the expenditure and control of the funds. The present system was disastrous to all improvements in the country, especially to works of drainage. It was impossible for the people to unite to introduce improvements on public works. He hoped the Chief Secretary to the Lord Lieutenant of Ireland would make an emphatic statement, defining the policy of the Government, and showing their determination to deal with the question of county government and local government upon a broad and comprehensive basis, which would be satisfactory to the taxpayers of Ireland.

MR. CALLAN wished to point out that in the year 1879 the right hon. Member for Lincolnshire (Mr. James Lowther), who was then Chief Secretary, introduced a Bill which contained almost the *ipsissima verba* of the clauses in the present Bill, which had been denounced by the hon. and gallant Member for the county of Dublin. He denied the assertion of that hon. and gallant Gentleman that Grand Jurors in Ireland all possessed a property qualification. He objected to certain portions of this Bill, and especially to those which abolished Presentment Sessions. He would, however, vote for the second reading as a protest against the principle of Grand Jury representation and Grand Jury legislation in Ireland. The Government would, he hoped, bring forward next year, if not in the present Session, a Bill dealing with the subject. That Bill ought to make the Councils representative, and provide that no one should be admitted to them who had not a property qualification as a rated occupier.

MR. TREVELYAN said, no one could doubt that the last four hours had been profitably spent in the discussion which began with the precise, full, and interesting historical account of the hon. Member for Wexford (Mr. Barry), and the clear explanations of the Bill, explanations more sufficient than the Bill itself. The Bill was interesting because it contained certain special proposals which contributed a good deal to maturing the question; while the measure itself, and the circumstances under which it was produced, did not lend themselves to the remarks with which the hon. and gallant Member for the county of Dublin prefaced his speech. There was something not more relevant in the eloquent speech of the hon. Member for Sligo (Mr. Sexton), who took the

House miles away into much less pleasant topics. If he (Mr. Trevelyan) were inclined to agree with the hon. Member for Coleraine (Sir Hervey Bruce), that legislation which at other times might be introduced should not be introduced while Ireland was in a state of disorder, that inclination would have been fostered by the language of the hon. Member for Sligo. That hon. Member charged the Government with governing Ireland by the scaffold, and such a charge could not be passed by, even in the discussion of a Local Government Bill. The hon. Member must be aware that Ireland was governed by the scaffold in no other sense than England and Scotland were so governed. Having giving long consideration to the subject of this Bill in the course of the last 12 months, he must say it appeared to him to be open to very serious exception. The hon. Member for Wexford said that the alpha and omega of the Bill was that it gave the people the control of their own finance. He could not but regard that as an unhappy simile when applied to the relations of this Bill to finance. A scheme described as the alpha and omega ought to cover the whole ground contained within the two; but this measure was open to the objection that it began at one end, and that end, he could not but think, the wrong one, and that it only covered a very small portion of the ground which ought to be covered by a comprehensive measure of county finance. In founding or reforming any political or administrative system, and, above all, a financial and administrative system, we should begin at the bottom and not at the top, and to lose sight of that principle was almost as dangerous in politics as it was in architecture. The Baronial and the County Presentment Sessions were for all practical purposes the taxing bodies in the rural districts of Ireland, having the sole right of initiating all taxation for roads, bridges, court-houses, and public works so far as they concerned respectively the barony or the collection of baronies that constituted the county; whilst the Grand Jury had very little more to do than to deal with those perfunctory classes of payment that concerned the county lunatic asylums, the extra police, and the payment of certain officers. Now, the more he looked at the Bill, and especially at the 8th clause, the less could he understand how the authors of this measure proposed to deal with the financial powers that were attached to the Grand Jury. While he wished to express no opinion as to the lines on which county reform in Ireland should proceed generally, he felt justified in saying that a county reformer ought to leave the system at least as practicable and as workable as he found it; and this Bill did not expressly say whether it retained, or abolished, or reformed those bodies in which the practical financial work of the county was at present done. The Committee of 1868 proposed to deal with those bodies, and one of the Bills on the subject was brought in by the right hon. Gentleman (Mr. J. Lowther), then Chief Secretary to the Lord Lieutenant of Ireland. The hon. Member for Cork (Mr. Shaw), who addressed the House on this question with great force, spoke of those bodies as "initial bodies." The hon. Member for Tyrone (Mr. Macartney), in a speech which appeared to have pleased everyone who heard it, proposed that the barony, or something corresponding to it, should be the foundation of county reform in Ireland. Now, it was impossible to accept the theory that Clauses 8, 16, and 28 dealt adequately with what the hon. Member for Wexford represented as the coping-stone of this question. He said that, to show that this Bill could not be accepted as an adequate scheme for dealing with county government, and therefore to accept it would be inexcusable on the part of Her Majesty's Government. Let him count up the questions of the first class dealt with in the Bill. The Bill proposed to divide the cess between owners and occupiers, and that, for good or for evil, was a great economical change. It could not be said for practical purposes that that was a change which had a place on the Statute Book, because the very little which was done in 1870 was prospective, and a prospective change was as nothing in its economical effect. The Bill proposed to give County Boards the power of electing officers, but did not define whether those officers were to be confined to the class at present established by statute. Then it said something about the relation between County Boards, Harbour Boards, Dock and Port Boards, and Improvement Boards. He did not know well what these Improvement Boards were. An interpretation had, however, been put upon this all-important feature in the Bill by the hon.

and gallant Member for Galway (Colonel Nolan), who referred to various important industrial operations, and by other hon. Members who alluded to the granting of Provisional Orders, and to Bills for Railways. He presumed, therefore, that those Boards were to deal with railways, drainage, and such interesting questions as were discussed at so great a length last night. But if those Improvement Boards were to stand between the Treasury and the ratepayer, then their functions, so important, and their constitution, so vital, should have been defined and minutely laid down in the Bill. The Bill proposed that the County Board should nominate a very considerable number of Justices of the Peace. But it did not say whether the Lieutenant of the County was to retain the privilege of swamping those magistrates by appointing eight or ten wherever the County Board appointed four. There was another very important change. The Bill proposed to give County Boards very considerable power of dealing with the government of lunatic asylums, but left to the Imperial Government a share of the appointments rather out of proportion to the contribution from the Imperial funds. On each of these points was it conceivable that the Government could have that amount of agreement with the authors of the Bill which would justify them in adopting it as their own, or in hoping that it could be made into a measure, either in an ordinary Committee or in a Grand Committee, as the hon. and gallant Member for Galway (Colonel Nolan) had suggested, such as the Government could adopt? Unless they were satisfied that such an agreement existed, the Government had no right to support the second reading of this Bill. Hon. Gentlemen, in the course of the debate, had mentioned that the Government had supported certain Bills of considerable importance, brought forward by private Members. They had done so; but those Bills either dealt with questions of small importance, so that it mattered comparatively little what their details were, or they were Bills of great importance, of which the details were not new, and were extremely simple. Such were the Bills for the election of Poor Law Guardians by ballot, for reducing the borough franchise, and for assimilating the municipal franchise of Ireland with that of England. In those cases the Government had frequently been willing not only to give the Bill a second reading, but even to give up Government time for the purpose of enabling private Members to turn it into law. One of those Bills had gone as far as "another place," while the Bill for electing Guardians by ballot had reached an advanced stage in that House. But this Bill was second in importance only to a Bill for Parliamentary Reform, while it exceeded such a measure in complexity. It regulated the administration of the law in districts; it dealt indirectly, and to a great extent directly, with the sacred principle of property; and if it were to become law, it must have a very remarkable educational effect, for good or for evil, upon the people of Ireland, and in the long run have great social and political results. That was a Bill which the Government could take from nobody. It was a Bill which a Government, with any sense of responsibility, could not touch until it had made up its mind what it would lay before the House of Commons, both as regarded outlines and details. He would go further and say it was a Bill which no responsible Government would touch until prepared to carry out the proposals which it contained, for any glancing at the subject or the giving of isolated opinions on fragmentary plans might be productive of great public danger and could not produce any public advantage. It had been authoritatively declared impossible to deal with the question of county government in Ireland this year, and for the purpose of this debate that was all that need be known. The Government this Session had already too much upon its hands, and could not undertake any more, and, in these circumstances, would not be justified in asking the House to give the Bill a second reading. Therefore, it could only put up a petition to the hon. Members in charge of the Bill to withdraw it. If they would not, the Government would have no choice but to vote against it. In opposing the second reading, the Government did not wish to pronounce that the reform of county government in Ireland was not wanting. The Government did not pronounce against the doctrine that the ratepayer should have a more genuine voice than at present in the control of his own finances, and it would certainly be difficult to devise a scheme in which the ratepayer had less control than at present. All that the Government wished to assert was that the Bill was not their Bill, and that they could not approach or handle this important question until they could do it materially and comprehensively, and, in so far as in them lay, definitely and even finally.

Mr. PLUNKET said that after the speech they had just listened to he did not desire to prevent the House from going to a division, for which he supposed all were anxious, and he would detain them only a few minutes. If the debate had done no other good, it had given the Representative of Her Majesty's Government an opportunity of stating that they had no idea of entering upon legislation upon this subject; and to that extent he thought it had been of great advantage. He was tolerably well satisfied, so far as the statement of the right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland went, for, although he had not indicated the lines on which the Government might themselves at any future time deal with this subject, he had succeeded in disposing of almost every clause of the Bill before the House. But he could not help thinking there was little ground for the indignation expressed by various speakers in the debate at the speech of his hon. and gallant Friend the Member for Dublin County (Colonel King-Harman), who had moved the rejection of the Bill. There was all the less ground for that indignation, because the proposals contained in it would, in a few minutes, be treated by the vote of the House as wholly inadmissible. He desired to state very shortly the grounds on which he opposed the Bill, not because he was altogether opposed to all reform of the Grand Jury system, but because this was not a reform which was proposed; it was a Bill for the abolition of the existing system. As a matter of fact, the House knew that one of the last acts of the late Government before it left Office was to introduce a Bill upon this subject, which, unfortunately, it had not been possible to carry through. The ground on which he objected to the Bill was that it proposed a revolutionary change in the foundations on which county government in Ireland had so long rested. It proposed the practical transfer of the independent control of the finance of the county to a body which would by no means represent the cesspayers of the county. He would like to remind the House of the real state of things in regard to the county cess, which practically came to this, that it was the landlords who did directly or indirectly pay it, and who would certainly be made to feel any increase in the county cess throughout Ireland, and therefore it was absurd to deal with this subject as a reduction of county expenses in the interests of the tenants alone, when it would much more affect the landlords. What would be the real effect of such a change as this? It was very easy for hon. Members to say in general terms that the management under the present Grand Jury system was bad, and not carried on in an economical way; but, though such charges had been made at large, not one substantial instance had been brought forward to verify them. Hon. Gentlemen had refrained from giving names and places to which any such charges might apply, because they knew that whenever they brought accusations of that sort to the point they had always been successfully contradicted. But what would be the kind of hands in which the funds would be placed? He supposed they would be at all times as reliable as those of some of the Poor Law Guardians had been during the late period of excitement. They had heard over and over again that in some cases it had been actually necessary to break up the Unions and appoint official Guardians in their place. [The right hon. Gentleman then referred by way of illustration to the action of various Poor Law Unions, and, amongst others, to that of Carrick-on-Suir, where it had been found necessary to dissolve the Board of Guardians.] He believed that the plan proposed in the Bill was a bad one. The effect of it would be to hand over the management of the county to those who would simply be nominees of the person who might happen to be the arch-agitator of the moment.

Mr. PARNELL said, he was not disappointed with the speech of the Chief Secretary to the Lord Lieutenant of Ireland, for, unquestionably, the right hon. Gentleman had shown from time to time since he had taken Office that he was perfectly willing and able to make a speech to order, a speech which turned the back upon the principles of the right hon. Gentleman himself and of the Party to which he belonged. Contrasting the amount of advantage which Ireland gained by the presence in Office of a Liberal as opposed to a Conservative Government, he pointed out that when in the last Parliament a Bill on the subject of county government, involving very much the same principles as those contained in the present measure, was brought forward by the late Mr. Butt, a special Whip was issued by the Liberal Party, then out of Office; the Bill was supported in debate by its Leaders who were present, and it was supported in the Division Lobby by the full strength of the Liberal Party, so much so, that the Government of the day were within a very few votes of being defeated. But what did the right hon. Gentleman tell them now that he and his Party had come into Office? He told them that no Government would take a Bill of this kind, involving such principles, from a private Member. If the right hon. Gentleman thought so that day, how was it that he and his Party did not think so then when they wished to force the Conservative Government to take in hand a a Bill involving exactly the same principles from a private Member? The effect of the action of the Government would be that they should now be beaten by about 5 to 1. So late as last autumn the Prime Minister expressed himself as deeply interested in this question of local self-government, and said that he was anxious to proceed with the matter as soon as he had the necessary facilities—that was, the *clôture,* and so forth. But now that this matter had been brought forward, the Chief Secretary was left alone on the Treasury Bench. The right hon. Gentleman's main objection to the Bill was that it made no mention of the Presentment Sessions. But that did not appear to them to be a question which ought to involve the fate of the Bill, because it was a matter which might be dealt with in Committee. He thought that the size of the areas was no objection to the Bill, for he would remind the House that its Members had constantly to decide on questions brought before the Select Committees with reference to railways and other matters covering even larger areas. He thought it desirable that the system of popular representation should be brought into play in the election of magistrates. It was altogether unnecessary to have mentioned the Presentment Sessions; and he warned the Government against wasting their time in introducing a reactionary system of county government. If this question was not settled now, a reformed Parliament elected on household suffrage, and consisting of a very different body of Members, and containing, he trusted, very different Ministers, would settle this great question on Radical and lasting lines.

Mr. WARTON said, he did not intend to talk out the Bill, but wished merely to express his regret that, with the exception of the Chief Secretary, no English or Scotch Member had thought it worth while to take part in the discussion.

Question put.

The House *divided*;—Ayes 58; Noes 231: Majority 173.—(Div. List, No. 55.)

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

---

### COPYRIGHT BILL.

On Motion of Mr. Hastings, Bill to amend and consolidate the Law of Copyright, *ordered* to be brought in by Mr. Hastings, Mr. Hanbury-Tracy, Sir Gabriel Goldney, and Mr. Agnew.

Bill *presented,* and read the first time. [Bill 141.]

House adjourned at five minutes before Six o'clock.

## HOUSE OF LORDS,

*Thursday,* 12*th April,* 1883.

MINUTES.]—Public Bills—*First Reading*—Bills of Sale (Ireland) Act (1879) Amendment * (29); Agricultural Holdings (England) * (30); Elementary Education Provisional Order Confirmation (London) * (31).

*Second Reading*—Army (Annual) * (25).

### NEW PEER.

Sir Frederick Beauchamp Paget Seymour, G.C.B., Admiral and Commander-in-Chief of Her Majesty's Naval Forces in the Mediterranean, having been created Baron Alcester of Alcester in the county of Warwick, was (in the usual manner) introduced.

## WEST AFRICA — THE CHURCH MISSIONARY SOCIETY — ACTION OF AGENTS ON THE RIVER NIGER.

### OBSERVATIONS. QUESTION.

THE DUKE OF SOMERSET, in rising to call the attention of the House to the Papers presented by the command of Her Majesty on West Africa, in reference to the conduct of the agents of the Church Missionary Society, and to ask a Question thereupon, said, the case to which he referred occurred some years ago on the River Niger. Among the agents employed by the Society were many coloured people, all of whom had slaves; so that while this country was trying to stop slavery, both on the East and West Coasts of Africa, they had the Church Missionary Society employing, as agents, people who had slaves, and, worse than that, the Papers that had been presented to Parliament showed that those slaves were often cruelly treated by them, as the Superintendent of Police stated he had frequently reproved the missionaries for ill-treating their slaves. There were three or four agents of the Society implicated in the transaction mentioned in the Papers, and among them were a Mr. Johns and Mr. and Mrs. Williams. Now, what happened to these unfortunate slave women? Why, they were oppressed and tormented, and when they tried to hide themselves, they were brought out and were flogged by the boys, who were instructed in the principles of Christianity, and treated in a manner he would not dare to mention to the House. It appeared that some red pepper was put into the excoriated places caused by the flogging, after which the unfortunate people were supported or carried to their hovels where they remained in agony all night. While this was going on, the Native women heard their screams, and called out, and said to the Missionaries—"Surely this is not in accordance with your preaching." Upon which Mrs. Williams came forward and said—"She had bought the girls, and had a right to do what she pleased with them." During the night, one of the girls died in consequence of the treatment to which she had been subjected, and after the body had been buried, and the people enjoined to say nothing about it, the order was given to ring the bell for prayers. If it had not been for the murder which was committed, no one would have heard anything of the matter. Now, this transaction happened in 1878, and these agents might have gone on for years torturing these unfortunate slaves but for certain inquiries which took place after the murder was discovered. He did not complain of the course the Government had taken in the matter, for prompt action had been taken by all the Departments concerned. The moment the Government heard of it, they did all they could; the Colonial Minister communicated with the Foreign Minister, and the Foreign Minister communicated with the Admiralty and the Law Officers, and then the Government and the Lord Chancellor interposed. But it was said that the transaction occurred beyond our Consular jurisdiction. However, after considerable difficulty, the people who had committed the wrong were condemned to punishment; but the best thing, in the Consul's opinion, that could have been done would have been to have hang the murderer on the spot, and that would have been a warning to those Missionaries who had so tormented the Natives. The Papers to which he had called attention were full of the Missionaries and their misconduct. This was a serious question, because one could not get up the River Niger, except at one time of the year, and there was, consequently, great difficulty in communicating with these places. Had the Government communicated with the Church Missionary Society, to the effect that they ought not to have had a station such a long way off, and out of the jurisdiction of the Consuls? There ought to be no station outside that jurisdiction. Now, what part of Christianity was it that supported slavery first, and put the slaves to torture afterwards, ending in murder? These things were a mockery of Christianity. But they were proved by the Papers on the Table, and could not be stopped while Natives were employed, who were supposed to teach Christianity. He would like to hear from the right rev. Prelates, whether they knew of these transactions, and what they thought of them. The Papers were before them. He thought nothing would have been known if the attention of the Consul had not been called to the circumstances of the murder. Who, he asked, was responsible for these things? All these facts were known in 1879; but the Church Missionary Society took no notice of them at that time, and it was not until 1880 that the facts came out. They were responsible for what had happened, and no one else, as they sent these agents to those parts—160 miles up the Niger River. They ought to be prevented from sending their agents into these districts, which were very difficult of access to the Agents of the Government. At last, however, the Government sent a small steamer up the Niger; but the witnesses they collected got dysentery and fever. Was that the way to teach Christianity to the Natives? Let their Lordships look at the Papers and say whether Christian teaching was to be found there. The noble Earl the Secretary of State for the Colonies (the Earl of Derby) had talked about bringing in some Bill dealing with these matters; but, however that might be, in his (the Duke of Somerset's) opinion the Church Missionary Society ought to be prevented from sending their agents to places beyond the jurisdiction of the Foreign Office. He wished to know whether there were any means of stopping these missionary operations beyond the Consular jurisdiction and beyond the Foreign Office jurisdiction?

Earl CAIRNS said, he had read the Papers to which the noble Duke opposite (the Duke of Somerset) had referred, and he might be allowed to say that, as regards the story contained in them, there was nothing which had fallen from the noble Duke which was at all too strong; it was one of the most horrible stories which ever appeared in print, and was nothing less than a disgrace to humanity. In referring to that view of the case, he could not help, at the same time, expressing the satisfaction he felt at the manner in which two Departments of the State—the Colonial and Foreign Offices—when the matter was brought to their attention took it up, and had justice done. He was quite sure, in consequence, that the British name would be held in reverence in every part of Africa. An unfortunate girl had been done to death under very revolting circumstances. The case was taken up by the British Government, which paved the way for the conviction of the offenders. All difficulties which lay in the way of obtaining a proper trial were surmounted; witnesses were brought from very great distances, the number of years that had passed were not allowed to constitute any serious impediment, the money was provided from the British Treasury, and the awful wrong that had been done was, as far as it could be, avenged in a manner which, he was sure, would meet with the cordial approval of their Lordships. But, having said that much on that part of the case, he felt bound to say that anything more unfair, anything more exaggerated, than the description which the noble Duke had given of the connection of the Church Missionary Society with this dreadful crime he had never heard. He wondered what the noble Duke would say if a subordinate of his committed a crime and the origin of it were to be attributed to the noble Duke, in the way in which he had attributed this crime to the Society. In the first place, the noble Duke had asserted that the Church Missionary Society knew of this crime and took no steps in the matter, and that it would never have been heard of had it not been for the British Consul. The noble Duke had not read all the Papers, or he would have seen that it was the Society, and not the Consul, who brought the matter to light. The man who brought the incident to the notice of the public was the Rev. J. B. Wood, the Church Missionary Society's own secretary. It was Mr. Wood who brought it before the notice of the Governor of Lagos. He was a missionary of the Society, and inquired into all the circumstances, and put in writing the information he had collected.

The Duke of SOMERSET: Look at page 46.

Earl CAIRNS said, he should come to page 46. At present he had got no further than page 1, in which the statements he was making appeared. The noble Duke gave them to understand that the Church Missionary Society would have buried this matter, as the poor girl had been buried; but there was no evidence whatever of that. It was true that Bishop Crowther, who had heard of the case, had also made inquiries, and a Court, called a "Merchants" or an Equity Court, but an inefficient one, held an inquiry, and did not punish Mr. Johns; and the Bishop assumed that the Court had come to a right conclusion; but he had no means of ascertaining the facts of the case, and had no other course open to him. It was not, therefore, until Mr. Wood made further inquiries, and reported to the Governor, that justice was done. Neither was it correct to represent these men, Johns and Williams, as missionaries in the employment of the Church Missionary Society. They were two Natives; one of whom was employed as an interpreter, and the other as schoolmaster, to teach the Native children. Those were their occupations. The Church Missionary Society did their best—like the founders of Christianity—in employing agents; but these two men turned out worse than could be expected. Out of the 2,000 or 3,000 agents in the Society's employ, it was not possible but that they should sometimes be mistaken in their estimate of the agent's character. Perhaps, the noble Duke also, in his own experience, had employed men who turned out to be much less trustworthy than he had hoped or expected. The noble Duke had suggested that the agents of the Church Missionary Society owned slaves. So far as the Papers showed, from the Report of the Governor at Lagos, the girl was not a slave; she had been redeemed—but he was prepared to admit that she was treated worse than a slave—that, however, was not the point under discussion. Had the noble Duke read anything of the history of the West Coast of Africa? If he had, he would have seen what had been the great civilizing agent on that Coast. Had he read how many thousands of the savages the Church Missionary Society had converted, not only into Christians, but into civilized men? He (Earl Cairns) had recently read an extract from a commercial paper on the West Coast, on the subject of the atrocities, in which it was stated that they felt deeply for the Church Missionary Society, who had done so much for the Christian education of the people. Perhaps the opportunity would be seized on by its enemies to make an attack on that Society, but nothing could be more unjust than that. One of the greatest wonders of this generation was that the Church in that district, which, while it formerly had been dependent on the Society, was now self-supporting, and had itself sent out missionaries into the interior. The crime that had been committed was, no doubt, horrible; but he deeply regretted that the noble Duke had, in a manner which he could only characterize as unlike the justice which generally actuated him, taken occasion to make an attack which, in his (Earl Cairns') opinion, was entirely unfounded on the Church Missionary Society.

THE EARL OF DERBY said, he did not think that anyone could be surprised that the noble Duke (the Duke of Somerset) had brought the matter before their Lordships. The noble Duke had spoken with natural and justifiable indignation of those horrible and disgusting acts of cruelty, of the nature of which they were all aware. It was no part of his (the Earl of Derby's) business either to excuse or to accuse those who had the management of the Church Missionary Society, for their defence could be well left to the noble and learned Earl who had just spoken (Earl Cairns); but, if he were to state his own opinion, he should say that he did not see how any further responsibility could be cast on the Society in connection with this business than that of having being unfortunate, and perhaps injudicious, in the selection of their agents. But the criminals were not missionaries properly so-called. One was an interpreter and another a schoolmaster. They were both Natives, and if any blame was to be attached to the Society it was for placing them in a situation where they were able to bring this scandal upon their employers, and where they did not seem to be subjected to any control. With regard to the Question of the noble Duke, he did not think it necessary, nor did his noble Friend who preceded him in Office (the Earl of Kimberley), to give any special notice to the Missionary Body of the transactions, partly because they were fully cognizant of them from the first, and also because the whole of the transactions had acquired such a degree of publicity, and had been so widely noticed, that it would be superfluous to do so. As to Missionary Societies not being permitted to establish stations beyond the reach of British jurisdiction, he was sure the noble Duke, when he recalled what had been done not only in Africa, but in other parts of the world, would recognize the impossibility of imposing a restriction which was opposed to the principle on which this country had always acted with regard both to missionaries and traders. Not only would such a restriction affect missionaries, but the principle involved in it would also be applicable to traders, for they went to all parts of the world beyond the reach of British law. Taking all the facts into consideration, he was of opinion that the disadvantages of the present system were very much overbalanced by the advantages. No one, so far as he could see, could possibly find fault with the manner in which the authorities had acted in this matter, though he allowed that there could be no question but that the proceedings were cumbrous and expensive. When, however, they took into account the remote situation of the place where these things occurred, and also the difficulty of getting together witnesses, it was not wonderful, he thought, that there had been so long a delay; it was rather to him a wonder that the ends of justice had been met, though at much cost of time and money. With reference to the punishments awarded, it could not be said that they were insufficient. One of the offenders was sentenced to 20 years' penal servitude, and the other to 18½ years, because he had already served two years in gaol, awaiting his trial. He might, perhaps, mention that an Order in Council was now being prepared, which they believed would simplify similar proceedings in future, should they unfortunately become necessary. He would only add that the Church Missionary Society, like all such bodies, was dependent on popular support and assistance, and that undoubtedly any scandal of this kind tended to create an unfavourable effect on opinion, and so to diminish its resources. It followed, therefore, that, in the interest of the Society, it behoved them to take all possible care that such a miserable and unfortunate occurrence should not happen again; and that he considered a sufficient security without the interference of the Government.

The Earl of CHICHESTER: My Lords, after the able speech of the noble and learned Earl (Earl Cairns), in answer to the noble Duke (the Duke of Somerset), I have very little to say; but, as having been intimately connected with the Church Missionary Society for nearly 50 years, and having taken a special interest in the West African Mission, your Lordships will perhaps allow me to address a few words to you. Knowing the usual fairness of mind of my noble Friend the noble Duke, I am surprised, as well as grieved, at his having been misled into so unjust an accusation with respect to the Church Missionary Society. The Committee of that Society were, I need scarcely say, as much shocked as any of your Lordships on hearing of the terrible cruelties that had been committed at one of the outlying Missionary stations; and it was through one of their agents that the crime was first discovered and reported to the authorities. As a rule, these Native agents of this Society are well-conducted and reliable men; but, like all other Native agents, they require a good deal of constant supervision by Europeans, when they are located amongst their fellow-countrymen who are still unconverted and uncivilized barbarians. If the Society has been guilty of any fault, it has been in not exercising a sufficient superintendence and control over their Native agents, some of whom are stationed at considerable distances from any regular Mission station. It would, I think, be wise on the part of the Society, if, to use a military illustration, they were to call in their pickets, so as to place them nearer to their supports; and, in fact, this is what they are doing. The noble Duke's attack upon the Missionary Society reminds me of an anecdote told me by my friend, Bishop Crowther, the Native Bishop of these infant Churches. The Bishop had read, in Sir Samuel Baker's book, something to this effect—"That Africans were naturally incapable of receiving education; but that he must make one exception—namely, that good an able man, Bishop Crowther, whom, however, he suspected not to be a real African." Thereupon the Bishop invited Sir Samuel to come and stay with him at Lagos. Upon his arrival there, the Bishop first asked him to look at his face, and then say whether he had any doubt as to his being a real negro. The Bishop then asked him to visit Sierra Leone, on his was home, and to inspect the Negro schools there. This, Sir Samuel did, and wrote back to the Bishop, that he had never seen a number of children better educated, or more intelligent, in any part of Europe. Now, I should not ask my noble Friend to take a voyage to Sierra Leone, to ascertain for himself what has really been done for Africa, through the missionaries; but I do ask him to test any one of the last Reports of the Society, where he will find recorded, and upon unquestioned authority, a full description of the work carried on.

THE ARCHBISHOP OF CANTERBURY said, he thought that the singular inferences which had been drawn by the noble Duke (the Duke of Somerset) from information brought out by the Society, in the first instance, with regard to these transactions, had been entirely shattered by the arguments of the noble and learned Earl opposite (Earl Cairns) and those of the noble Earl the President of the Church Missionary Society (the Earl of Chichester), who had last addressed their Lordships. He (the Archbishop of Canterbury) wished to say, lest it should go forth that the Church Missionary Society had been apathetic in the matter of slavery, that the Society, after notice given so long ago as 1857, had issued to West Africa in 1879 a most careful Minute, in which it was laid down that any of their agents holding slaves should *ipso facto* cease to be agents of the Society; and, by the same Minute, documents were required to be signed by the agents stating that they held no slaves. It should also be noted that two Archdeacons had been appointed to superintend the administration of the Missions —one in the Delta, and the other those on the Niger itself; and with regard to those gentlemen and their superintendence, the Society were prepared to take upon themselves any amount of responsibility. Moreover, a steamship had been placed on the Niger to be at the disposal of the Bishop and await his orders, so that he might be able, whenever he wished, to pass as rapidly as possible from one part of the diocese to another. Still further, in 1881, an English secretary was appointed as an adviser of the Bishop, and to co-operate with him; and, at the present moment, the Society were sending out an English medical missionary to support the Bishop and assist in making the service on the Niger as complete as possible. He only mentioned these things lest an impression should be conveyed that the Church Missionary Society had been in the slightest degree remiss. He would add nothing to what had been said as to their entire freedom from responsibility in the perpetration of these atrocities by people happening to be in their employ. He believed, however, that the Society had done all that could be done in the matter in order to prevent its recurrence.

## NAVY—THE NAVAL FORCES.

### MOTION FOR A SELECT COMMITTEE.

VISCOUNT SIDMOUTH, in rising to move for the appointment of a Select Committee—

> "To inquire as to the adequacy of the present naval forces of this country to meet the increasing demands made on their services, and such further demands as may hereafter arise in consequence of the augmentation of foreign navies,"

said, that he had no desire to make any attack upon the Government. He was well aware that they had been restricted in their operations by the great money question. It had always been the tradition of the country that the Navy of England ought to be superior to those of all others in the world; whereas the fact was that the other great Powers were making more progress with their Navies than was being made with our own. If he could prove that that was so, he thought that the Committee for which he would move ought to be granted. The conditions of the Navy were quite different from those of that arm of the Service in former days. It was now necessary to keep portions of the Fleet at nine different stations over the whole globe in order to protect our trade. The number of ships, moreover, which were actually available for service was not that which we were represented to have—in fact, it was only a paper Navy, for many were included in the list which had only just been laid on the stocks, and which would not be ready for three or four years to come. [The noble Lord read statistics showing the number of iron-clads, armoured cruisers, corvettes, and vessels for coast defence already built or in course of construction, and stated that the number of Marines was 12,400, of which 6,000 were on shore, and that the Dockyard workmen numbered 18,000; and then proceeded to explain the naval condition of France.] There were at the present moment 10 French iron-clads ready for sea. There were 11 other vessels, wooden ships, pronounced by competent authorities to be capable of meeting in action a large number of the vessels in the British Navy. There were 18 very large and powerful iron-clads included in the French Naval Estimates — not in the backward state in which the vessels were in our own Dockyards, for eight of them would be fit to go to sea this time next year, and the remainder of them were promised to be ready by 1885. In 1885 there would be 39 French vessels ready for sea, while our own programme was 41, of which a very large proportion would not nearly be ready for sea by 1885. To carry out their programme, the French had voted a large sum of money for building purposes; and they had increased their Vote for men by 1,100; and they had 23,000 Dockyard men, as against our 18,000. The French were also building ships by contract, and were pushing forward those contracts with the greatest zeal and industry. They had 43,000 officers and seamen, and 26,000 Marines. He asked, therefore, their Lordships to consider what the relative condition of this country and France would be in 1885. Whether as regarded ships or men, it could hardly be said that the English Navy of 1885 would be such as to enable us to cope with that of France, should we unfortunately be engaged in hostilities with that country. Moreover, looking back to history, there was no reason to suppose that the Navy of France would act alone. Such a case happened when the French Navy took possession of the Spanish Fleet in an unexpected manner in 1805; and, had it not been for her naval superiority at that time, England would not have been able to meet France at Trafalgar. This country was always in a state of unreadiness, and had always experienced the misfortune of being behindhand with warlike preparations when war broke out; and that remark applied to the Navy as well. In 1805 war could not be said to have taken England unexpectedly; but yet she had to build hurriedly about 40 ships, of which some were built in India, some in our own Dockyards, and others were adapted from the Indian Merchant Navy. It should be remembered that first-class iron-clads could not be constructed in less than five or six years; and it was out of the question to use merchant steamers, for they were quite unfit to perform the duties of men-of-war. Speaking of the unpreparedness of this country at the time of war breaking out, he would remind their Lordships that the country was lulled to sleep by the great victory of Trafalgar, with the result that in 1813, when the war with America broke out, England found that she had allowed America to build ships with which she could not cope. Isolated instances, no doubt, occurred —such as the fight between the *Shannon* and *Chesapeake*—which showed the superiority of the British seaman; but still the British Fleet suffered seriously. It had become customary to throw discredit upon prestige; but a reverse to the British Navy would be disastrous to the country. If the Navy were defeated at sea, the means of communication with India would be cut off, and the great Colonial Empire of England would be imperilled to an extent that would entirely damage her position in the European world. He wished, further, to mention to their Lordships a source of weakness he had noticed in the Navy. The weakness to which he referred was that naval officers now had to deal with guns with the powers of which they were not fully acquainted. Under the present system, guns were selected for the Navy by the Woolwich authorities, who knew nothing at all of naval matters. In the French Navy the guns were selected by an Ordnance Committee of naval officers, who knew what the requirements of naval gunnery were. Another point to which he wished to refer was with regard to the fitting-up of masts and yards, formerly used by sailing ships, to vessels which in action would be most impeded by them. In addition to the French Navy, the Italian had also attained a considerable degree of efficiency. Moreover, of late years Germany was making great strides in the direction of becoming a Naval Power, while China, Japan, and the United States possessed vessels of great power; and there could be no doubt that foreign nations would have an immense superiority over England in the event of their forming a combination against her, which was not impossible. In the event of war, a crowd of vessels would be poured forth to prey upon the commerce of this country, and it was of the greatest importance that we should have the means of protecting it. He trusted that what he had said proved there was no justification for the hope expressed by the Prime Minister, when he said that the Navy of England would be equal to all the other Navies of the world. The country was not justified, at the present moment, in entertaining any such hope with regard to the state of its Navy, either as it was, or as it promised to be at the period to which he had referred. The noble Viscount concluded by making his Motion.

*Moved*, "That a Select Committee be appointed to inquire as to the adequacy of the present naval forces of this country to meet the increasing demands made on their services, and such further demands as may hereafter arise in consequence of the augmentation of foreign navies."—(*The Viscount Sidmouth.*)

Lord DUNSANY said, that the noble Viscount (Viscount Sidmouth) was not singular in the opinion he had expressed that the present state of our Navy was not such as it ought to be. That was the opinion, not only of many officers of professional distinction, but also of those who had served at the Admiralty, and who would be considered by the noble Earl at the head of that Department (the Earl of Northbrook) to be entitled, from the weight of their authority, to speak on the subject, and to be received with consideration and respect. A letter had recently appeared in *The Times*, written by Sir John Hay, in which the danger we ran of being outstripped by the French in naval matters was clearly shown. There had been times when our Navy had been in a disgraceful state, in consequence of a craze for economy; and, now, whenever complaints were made about the inefficiency of the Navy, the stereotyped reply was that we could not afford to do more than was being done. The French, however, it should be remembered, did not allow any such argument to influence them, and they were always prepared to make greater sacrifices than ourselves to secure a strong Navy. In fact, France went so far that she sacrificed her commercial marine to her Navy. It was rather remarkable that France should be taking such pains to rival our Naval Force, for she was much less dependent for her commerce upon her ships than we were. It must be because the course of history had taught them the value of powerful Navies. Recent events must have convinced everyone what an embarrassing position we should have been in if the policy of crippling the Navy had prevailed for the few preceding years. If it had, in what position would our Fleet before Alexandria have been, if the Fleets of France and Italy had combined to attack us?

The Earl of NORTHBROOK: My Lords, the subject brought before your Lordships this evening by the noble Viscount opposite (Viscount Sidmouth) is one of great importance, and merits the great amount of interest which is felt in it. With reference to the words the noble Viscount quoted, as having been used by the Prime Minister, perhaps he will be able to tell me where and when the Premier made the observation? I saw it myself in one of the periodicals of the day; I think it was quoted at the head of an article in one of the reviews—I think *The Nineteenth Century*—but I have been unable to trace it. Can the noble Viscount inform me where it is to be found?

Viscount SIDMOUTH, in reply, said, his conviction was that the remark was made by the Prime Minister at a public meeting. He had seen it several times reported, but had not been able to trace it.

The Earl of NORTHBROOK: I am in the same difficulty. I have seen it quoted somewhere; but I have been unable to trace any authentic authority for the quotation; and I think it would have been better, perhaps, if the noble Viscount had refrained from using a quotation which he was not able to verify. My Lords, I have always felt it an exceedingly delicate course, and one I should prefer not to enter into, to make comparisons of the strength of the Navies of England and France. We are, fortunately, on the most friendly terms with our neighbours across the Channel, and it is not desirable, I think, to make these comparisons. At the same time, I can assure the noble Viscount that the comparison which he has given to the House, from the want of sufficient information, is not borne out by the facts of the case. The Board of Admiralty accept their responsibility in this matter, and it is their duty to ascertain what are the real facts. I am not about to make any elaborate comparison to-night, but I will allude to one matter on which the noble Viscount laid great stress. He compared what would be the state of the French and English Navies in 1885, and I have seen a similar comparison in the newspapers made by a gallant Admiral, whose figures the noble Viscount appears to have used. Now, there is a great error in the comparison. There are put down for the year 1885, 10 ships belonging to the French Navy, none of which have been launched up to the present day, whereas, on the other side of the comparison, there are put down only two English ships that have not been launched. We know at the Admiralty that if a ship is launched this year, it is exceedingly unlikely that that ship will be ready for sea before two years. With machine guns, and all the complicated appliances required to fit out an armour-clad of the present day, a very considerable time is required, after a ship is launched, for getting her ready for sea. In that way I explain the extraordinary statement which I have seen in the newspapers, and which I suspect has been the reason of the noble Viscount's mistake in the assertion that in the year 1885 there would really be any equality between the Navies of England and France. I do not wish in the least to say anything offensive to our neighbours across the Channel. They have in their discussions, and in the Reports of their Committees, especially in the Report of a Commission presided over by no less a man than M. Gambetta in 1878, frankly admitted that England stands unrivalled in regard to her Navy. I hold that no Government of this country—and certainly not the present Government—would for a moment allow any nation to take a position of equality with England at sea. Such a policy would be discountenanced by whatever side or Party might be in Office. There can be no doubt, as the noble Viscount pointed out, that for the last six or seven years great activity has prevailed in France, in the construction of ships. But this activity is due to a policy, which has been openly declared, and the reason of which I have no scruple in stating, because it has been stated in authentic documents which have been laid before the French Chamber. During the Franco-German War—as your Lordships may well understand—the French Government were unable to devote the average attention and expenditure to their Navy, added to which they have taken a different course to ourselves in respect to the construction of their iron-clad ships. Almost all the French iron-clads, up to a recent date, have been built of wood; whereas we have adopted iron and steel from a much earlier date in our construction. Those of your Lordships who have a knowledge of the subject are aware that wooden ships have not the same length of existence as iron and steel vessels; and, therefore, it was the opinion of a Commission of the French Chamber in the year 1872 that, in a certain number of years, a considerable number of wooden armour-plated ships in France would become unserviceable, and that it would be necessary to replace them with new ships. The programme laid down in accordance with that Report is being gradually carried out by the French Government. No one who has considered the question will think that the gradual fulfilment of such a programme ought to give rise to any susceptibility on our part. Now, that is the history of the increased expenditure on the part of France in ships during the last seven or eight years. That being so, what has been the actual tonnage of iron-clad ships acquired by England and France from the time this increased expenditure on the French Navy took place? It must be recollected that when the expenditure began, this country was in a position of great superiority to France in respect to iron-clad ships, and that the expenditure of France was in order to bring up her Navy, which had been reduced to a low ebb, to a moderate and fair strength. Notwithstanding this exceptional expenditure, I find that the tonnage of the ships launched in the years referred to, and added to our iron-clad Navy, was greater than the tonnage added to her Navy by France, and, therefore, there has not been, as some people suppose, a greater addition to the strength of the iron-clad Navy of France than of that of England during that period. This, I hope, will satisfy the noble Viscount that the figures he gave with regard to the assumed superiority of the French Navy compared with our own are not accurate. I will take another point which the noble Viscount has raised. He made some comparison between the Navy Estimates of England and France; and on this point, he will admit, I trust, that the money spent on the labour employed upon the construction of ships may be taken as a fair test of the work being done. With respect to that, the total sum taken in the French Estimates for 1883 for the cost of labour engaged upon construction and repairs is £877,272; whereas we are taking a sum of £1,219,146 for those purposes; so that the noble Viscount will see that the sum we have taken very much exceeds the sum taken in the French Estimates; and if the sums taken for construction alone are compared, it will be found that we take a larger sum than the French.

VISCOUNT SIDMOUTH: Is the rate of wages the same in the two Navies?

THE EARL OF NORTHBROOK; Although the rate of wages may differ, the results obtained for the same expenditure is probably much the same; but, at any rate, the money we take in our Estimates is considerably in excess of that taken in the French Estimates, and that shows, I think, that the noble Viscount need not suppose there is any extraordinary endeavour to increase their Naval Force on the part of the French Government. No doubt, in France a different system is pursued from ours; and it has been the habit there to lay down a considerable number of ships at one time, and, therefore, the general impression is that a great increase is being made in the number of ships, whereas many of the ships to which allusion has been made have been a long time on the stocks, and some have not even been laid down. I saw, not long ago, in one of the newspaper statements, one ship counted as to be ready in 1885, which had not been launched, and another included in the same statement which was to be laid down in the slip from which the other was to be launched. I will just allude to one other point in the comparison the noble Viscount made, because mistakes are constantly made upon the subject. The noble Viscount drew a comparison between the English and French forces of Marines, and said that there were 26,000 French Marines. That may be true; but they are not, in any way, the same force as our English Marines, who would in time of war be capable of manning guns afloat, and of becoming a most valuable reserve to the Navy; whereas the French Marines are simply Colonial troops. I do not like these comparisons; but I thought I was forced to give one or two striking instances to show how difficult it is to make these comparisons usefully. In comparing the two Navies, any officer or gentleman who wishes to make it as bad as possible for us, can omit a lot of ships from the list of our Navy as being obsolete, and can leave ships of the same class in the list of the Navy he is comparing. I can assure the noble Viscount I have carefully considered the question, and I do not share his apprehensions. I am bound to say that I think it is desirable to increase very materially the amount of construction; but I must explain to your Lordships that, in saying that, I by no means wish to lay any blame upon the Board of Admiralty which we have followed, because, some years ago, it was discovered that greater power was produced in a gun by means of the use of slower powder, which very much revolutionized the construction of ships, by making it necessary to place much thicker armour upon the ships. Then, again, there have been important improvements in engines and other matters with which I need not trouble your Lordships; all of which changes may have delayed construction, and I have no doubt they had a material effect upon the policy of the Board of Admiralty which we succeeded. But, however this may be, the present Board of Admiralty decided to increase the amount of armour-plated tonnage constructed, not at an extravagant rate, but at a rate more in accordance with the rate of former years. The figures which I will quote to your Lordships will show that there has been a considerable increase in armour-plated tonnage since the year 1879. Whereas in the year 1879-80 there were 7,427 tons' weight of hull of armour-plated ships constructed, in the year 1880-1 the total was increased to 9,235 tons; in 1881-2 to 10,748; and in 1882-3 to 11,500; while in the year 1883-4 it is proposed to bring the total up to over 12,000 tons. That will show that the Board of Admiralty are not unmindful of the necessity of increasing the number of armour-plated ships. The noble Viscount alluded to another and most important matter, the question of guns, and he is right in thinking that there has been considerable difficulty in obtaining the right sort of gun. These difficulties have existed in adapting the new inventions in gunnery to the service of the Navy; but, owing to the exertions of the Ordnance Committee, in which officers of the Service, as well as some of the most distinguished Civil engineers in the country, have assisted, and also to the able officers at Woolwich and Elswick, we now stand in a better position in that respect than we ever stood before. The noble Viscount seems to think that we are putting guns on our ships of inferior power to the guns put on board the French ships.

Viscount SIDMOUTH: I referred to the difference between breech-loading and muzzle-loading guns.

The Earl of NORTHBROOK: At all events, I have seen it stated, and I am glad to have the opportunity of saying, that there is no foundation for this statement. The 43-ton gun we are to mount in the ships we are now completing for sea may be said, speaking roughly, to be of the same power as the gun being put on board the French ships which are now being completed for sea. In the ships now building of the *Rodney* class we propose to put a 63-ton gun, which has a charge of 625 lbs., and a projectile weighing 1,250 lbs. The muzzle energy is 36,415 foot tons, and the penetration of wrought iron at 1,000 yards 28·6 inches. The gun is to be constructed of steel, with steel hoops. This powerful gun we propose to place on board some of our ships; but the Admiralty thought, powerful as the gun is, that it would be desirable to have a still more powerful one, and we therefore propose to place two 100-ton guns of much the same pattern as those constructed by the Elswick Ordnance Company for the Italian Navy. These guns will be supplied by that Company. At the present moment we feel considerable confidence as regards the working of these large guns; and it was very satisfactory to find that at Alexandria, the machinery on board the *Inflexible* answered admirably. The trial of the 100-ton gun constructed at the works of Sir William Armstrong, which took place at Spezzia, gives us much confidence in the breech-loading mechanism of that gun, and it is of the same type as that which we propose to use. I may say, generally, that the condition of the Navy in respect to guns is more satisfactory now than it has been for some time past; but I should be very over-confident if I stated that the system of breech-loading gave us as much satisfaction as regards safety as the old muzzle-loading system; and it is most creditable to all concerned with the manufacture of our present guns that no accident involving any loss of life occurred during the engagement at Alexandria. It is necessary to employ the breech-loading gun, but it is a more delicate weapon. In former years the Government was reproached with not introducing it earlier, but I am not sure that the delay was a disadvantage, because meanwhile the weapon has been improved, and the country has thus been spared a considerable expenditure upon guns which would have been inferior to those now being made. The noble Viscount expressed some doubt as to the value of merchant cruisers in time of war, and suggested that they would be useless against armour-clad vessels. They would not, it is true, be of use in attacking ships of war heavily armoured; but armour-clad vessels are not the only ships we shall have to meet in war. There are many ships which are not armour-clad at all, and there are very few armour-clad vessels indeed so protected as to be unassailable by such vessels. In my opinion, therefore, merchant cruisers will be of great value. The noble Viscount has spoken of the position of this country as a great Naval Power. That position by no means depends entirely upon the number of our ships; what it mainly depends upon, in my opinion, is the gallantry and the knowledge of the officers and men in the Navy, and the state of training in which they are kept. Next, in importance, come the ships and the other naval appliances; and after them comes the power of this country in the possession of a flourishing Mercantile Marine, and its unrivalled capacity for manufacturing steel ships and all kinds of naval appliances. These, for the most part, are made in England, and therefore, in my opinion, we never yet occupied so powerful a position as a Naval Power as at the present time. I trust that the Motion for a Committee of Inquiry will not be pressed to a division, and I think your Lordships will not be inclined to accede to such a Motion. A matter of this kind ought, I venture to think, to be left to the Executive Government of the day, unless it appears from the facts of the case that the Ministry of the day does not recognize the necessity of keeping up the force of the country to a proper state of efficiency. Her Majesty's Government feel that it is necessary to maintain the naval supremacy of this country; and with this object we have very considerably increased the expenditure upon armour-clad ships and guns, that increase amounting to between £800,000 and £1,000,000 per annum since we came into Office. I therefore trust that this Motion will not be pressed. In answer to the noble Viscount regarding the armour of four new ships, I may tell him that the *Impérieuse* and *Warspite* are armoured, the armour on the sides of the belt is 10 inches, and above water 9 inches, on the barbettes 8 inches. The *Mersey* and *Severn* are not armoured; but they have decks protected by steel, and a conning tower with from 8 to 9 inches armour protection.

Lord ELPHINSTONE said, he thought that, having regard to the rapidity with which foreign Powers had increased and were increasing their Navies, it was of the greatest importance that this country should be prepared for war. There was a feeling prevalent in the country that, in the event of a general war, England did not possess a sufficient number of vessels to protect its own coasts, besides placing a Fleet in the Mediterranean, guarding the Colonies, the Mercantile Marine, and the bread supply. He thought the appointment of the suggested Committee might have allayed the anxiety felt in this connection. Great difference of opinion also existed among persons of authority as to the armament of our ships, and as to the mode in which our ships were constructed, many authorities condemning the present system of box-building. Moreover, reforms were necessary in the Constructive Department of the Admiralty; some endeavours should be made outside the Department to secure the services of the best designers in the country. He much regretted the noble Earl (the Earl of Northbrook) would not consent to the Motion of the noble Viscount.

Viscount SIDMOUTH, in replying to the noble Earl the First Lord of the Admiralty (the Earl of Northbrook), said, he thought the public ought to have the the whole of the facts relating to the Navy placed before them, and that if a Committee were appointed these facts would be fully brought out, and full information would be obtained as to the strength of the Navies of foreign Powers. Many distinguished naval officers had expressed their alarm at the present condition of the British Navy as compared with the Navies of foreign Powers. He was certainly not satisfied with the statement of the noble Earl; but, having regard to the small number of noble Lords at present in the House, he would not press his Motion to a division.

Motion (by leave of the House) *withdrawn.*

## POOR LAW (ENGLAND)—LADY INSPECTORS.

### QUESTION. OBSERVATIONS.

Viscount ENFIELD, in rising to ask Her Majesty's Government, Whether, in the event of future vacancies among the poor law Inspectors, they will consider the propriety of appointing one or more lady inspectors, thus following a precedent set in the case of the late Mrs. Nassau Senior, whose work and reports in the years 1873 and 1874 were of much use to the department of the Poor Law? said, that all matters pertaining to good Poor Law administration were of importance, and none more so than the question of the physical training and moral development of children in workhouses and workhouse schools. Able and conscientious as were the Poor Law Inspectors, there were many matters pertaining to the condition of pauper children, especially female children, which were better managed by women than by men. In 1873, the late Mrs. Nassau Senior, a lady of great ability, moral courage, and most humane disposition, was appointed by Mr. James Stansfeld, the then President of the Poor Law Board, to duties tantamount to those of a Poor Law Inspector. This lady inquired into and reported upon the condition, management, health, and treatment of children, especially female children, in our great Metropolitan pauper schools, of which, at that time, there were 17, though one, the school at Limehouse, had since been closed. The number of children was then, he believed, 8,535, of whom 3,844 were females. This Report, which was sent in to Mr. Stansfeld on January 1, 1874, comprised many valuable suggestions upon such matters as (1) classification of children, (2) sanitary conditions, (3) moral and industrial training, (4) school arrangements, (5) dormitory arrangements, (6) food, (7) exercise and play. In addition to this inspection in the Metropolitan area, Mrs. Senior visited orphanages, industrial schools, reformatories, and "Kindergartens" in England and Scotland, besides similar establishments in Paris. The whole of this Report was most valuable. It was pre-eminently women's work to look after children. He might be asked what definite proposal did he make? Subject to financial considerations, he should be glad to see four Lady Inspectors appointed as supernumeraries to the existing staff of Poor Law Inspectors, whose work and duties should be strictly confined to the care and supervision of the children of both sexes in our workhouses and workhouse schools. One might be assigned to the North of England, one to the East, one to the West, and the fourth to the Metropolitan district, with the Southern counties. If four were too many, he should be satisfied with two appointments, one for the Northern and one for the Southern area of the Kingdom. In these days, when women had proved their ability and eminence in the literary, artistic, and scientific world, he did not doubt but that, with fair opportunities, they would win fresh distinctions in grappling with and overcoming want, neglect, disease, and poverty, which were, unhappily in too many cases, the only patrimony inherited by the poor children who were the inmates of our workhouses and pauper schools. He would press this question very earnestly on the President of the Local Government Board.

Lord CARRINGTON, in reply, said, that if any ladies were appointed as suggested, such appointments would be rather supplemental to than in substitution for the present staff. When the opportunity offered to appoint a Lady Inspector, the Board would be happy to consider the propriety of making such an appointment. Although he could not pledge the Government to any definite course of action, he might say that the services rendered by Mrs. Nassau Senior were highly appreciated by the Board, which was of opinion that in large workhouses, schools, and ships, good work could be done by ladies. It was satisfactory to find that in the past year eight out of 12 Unions in the Metropolis had elected ladies to serve on the Boards of Guardians. While the Government were unable to comply with the wish of his noble Friend, he could assure him that they were fully sensible of the value of the suggestions he had made, and that they would bear them in mind.

### AGRICULTURAL HOLDINGS (ENGLAND) BILL. [H.L.]

A Bill to amend the Law relating to Agricultural Holdings in England—Was *presented* by The Lord Vernon; read 1ª. (No. 30.)

### ELEMENTARY EDUCATION PROVISIONAL ORDER CONFIRMATION (LONDON) BILL. [H.L.]

A Bill to confirm a Provisional Order made by the Education Department under the Elementary Education Act, 1870, to enable the School Board for London to put in force the Lands Clauses Consolidation Act, 1845, and the Acts amending the same—Was *presented* by The Lord President; read 1ª; and *referred* to the Examiners. (No. 31.)

House adjourned at a quarter past
Seven o'clock, till To-morrow,
a quarter past Ten o'clock.

## HOUSE OF COMMONS,

*Thursday*, 12*th April*, 1883.

---

MINUTES.]—Public Bills—*Second Reading*—Criminal Code (Indictable Offences Procedure [8], *debate adjourned;* Prevention of Crime (Ireland) Act (1882) (Audience of Solicitors) * [61].

*Committee* — *Report* — Glebe Loans (Ireland) Acts Amendment * [136].

*Report*—Oyster and Mussel Fisheries Orders Confirmation * [87].

*Withdrawn*—Glebe Loans (Ireland) Acts Amendment (No. 2) * [138].

## *QUESTIONS.*

### SOUTH AFRICA—NATAL—CHANGES IN THE LEGISLATIVE COUNCIL.

Sir GEORGE CAMPBELL asked the Under Secretary of State for the Colonies, Whether Natal is about to receive a new Constitution, under which the number of elected members is to be increased, and the members nominated by the Crown will be a small minority; whether, at the same time, the franchise is to be liberalised and natives are to be admitted to it instead of being almost wholly excluded as at present, or whether all questions of taxation, &c. affecting the great native population are still to be determined by the representatives of a handful of Colonists exercising a very restrictive franchise; whether the disposal of the Crown lands is made over to the Natal Legislature; and, who is responsible for the recent change by which Crown lands hitherto reserved have been opened for sale and sold as waste over the heads of the natives occupying them, as shown in Sir H. Bulwer's report of 25th August 1882, paragraph 61?

Mr. EVELYN ASHLEY: Sir, the change in question cannot be termed a new Constitution. It is only a modification of the pre-existing state of things. As to the first head—namely, the composition of the Legislative Council, the total number of Members is increased from 20 to 30—the elected Members to number 23, the nominated Members 7. As hitherto the elected were 15 and the nominated 5, there is no vital change in the proportion. As to the second head—namely, the franchise, it has been liberalized by extension to male inhabitants who have resided three years in the Colony, who have an income of £96 a-year at least, and who are British subjects or naturalized aliens. Hitherto the franchise has been confined to holders of real property worth £50, or payers of £10 a-year rental. This modification will somewhat increase the facilities for Natives being admitted to the franchise; but an education test is demanded from them. There has been no change made in respect to the other two points asked about. By the Charter of 1856 the disposal of the Crown lands is a subject of legislation vested in the Legislative Council. The Governor was, and remains, empowered to make grants, provided he conforms to any law in force relating to the subject-matter of his grant. As to the last part of the Question, we have no further information than is given in the paragraph referred to. It would, however, appear that some Natives were in unauthorized occupation of certain Crown lands.

Sir GEORGE CAMPBELL: Am I to understand that the Natives are eligible for the franchise in the same way as Her Majesty's British subjects?

Mr. EVELYN ASHLEY: They have been held to be eligible to the franchise if they removed themselves from under the operation of the Native law, and conformed to the ordinary law of the Colony, as well as to the education test.

## SCOTLAND—THE DISTRESS IN THE HIGHLANDS AND ISLANDS.

Mr. BUCHANAN asked the Lord Advocate, Whether he can give any further information to the House as to the destitution in the Western Highlands, and as to the adequacy of the means at present available for its relief?

The LORD ADVOCATE (Mr. J. B. Balfour): Sir, the Reports of the General Inspectors of the Board of Supervision have now been received, and I regret to say that they disclose a great amount of suffering among the population of the Hebrides, owing to the failure of the potato and grain crops and a bad fishing season. In most places the destitution does not amount to actual want of food, and there has not been any unusual pressure on the parochial rates; but the people have no means of providing themselves with seed potatoes or corn, so that, if no assistance were given to them, there would be a prospect of a famine next year. I am glad to say that, in most districts, the proprietors are supplying the people with the seed potatoes required. In one district, however, the Island of Lewis, the condition of the population is so bad that there would be actual want, but for the operations of a Relief Committee, and the Inspector reports that unless the funds at their disposal, now almost exhausted, are immediately and largely supplemented, much suffering must ensue. We propose to print these Reports for the information of Parliament.

## SOUTH AFRICA — THE TRANSVAAL—SUPPLY OF ARMS AND AMMUNITION.

Mr. CROPPER asked the Under Secretary of State for the Colonies, Whether there is any law preventing the supply of arms or ammunition to the Transvaal Government or the Boers by traders from the Cape Colony or from Natal; whether arms and ammunition mainly reach the Transvaal from Natal; whether it is not in the power of the British Government to prevent such supply from Natal; whether, when stating that ammunition, though denied to the Natives as an open transaction, could "be obtained by them in ordinary trade," he was aware that the penalties on traders thus supplying Natives are very heavy; and, whether he can inform the House what those penalties were?

MR. EVELYN ASHLEY: Sir, there is no law such as the one described; but the trade in both Colonies can only be conducted under licence. I am quite unable to say whether arms and ammunition mainly reach the Transvaal from Natal; but no doubt some does. The laws connected with this matter are somewhat complicated; but, as far as I can make out, the Government could only stop such supply by an arbitrary Act, stopping all export altogether; but, in the case of gunpowder, there is a statutory power given in Act 22, 1872. Every Resident Magistrate is empowered by this Act to give to any White person residing in the Orange Free State, the Transvaal, or the Cape Colony a permit to buy powder. But Section 5 says the Lieutenant Governor shall have—

> "Power, on due and sufficient cause to him appearing, and with the advice of his Executive Council, to suspend by proclamation in the Government Gazette the power of granting permits under the provisions of this law to the resident magistrates for such time as he shall deem necessary."

It does not, however, appear to the Government that due and sufficient cause has yet been shown for so very serious a proceeding, although circumstances may arise which would justify it. But to be at all effective, it would have to be extended to all persons, whether living in the Orange Free State or the Cape Colony, as well as the Transvaal. When I said that Natives could obtain supplies by "ordinary trade," I meant in the ordinary way they have hitherto obtained them, without any relaxation of the Colonial laws; and that they do obtain supplies is corroborated by an extract I will read to the House from a narrative handed to Sir Hercules Robinson by a Mr. Johnston, who had just returned from a stay of some duration at Montsioa's lager. The covering despatch from Sir Hercules Robinson is dated Cape Town, February 23. The words of Mr. Johnston are as follows:—

> "The Natives are well armed; most of those who were fairly armed carrying breech-loaders, and there seemed to be no scarcity of ammunition. Many have learnt to reload Wortley-Richards and Martini rifles."

## POST OFFICE (IRELAND)—TELEGRAPH DEPARTMENT—CARRIGALLEN.

COLONEL O'BEIRNE asked the Postmaster General, If a Memorial signed by the inhabitants of Carrigallen and neighbourhood, in the county Leitrim, has been forwarded to the Post Office authorities, requesting that a telegraph office may be established in the town of Carrigallen, and thereby place it and the neighbourhood on an equality with other towns of the county Leitrim that had less claims as regards trade and population to telegraphic communication?

MR. FAWCETT: Sir, such a Memorial as my hon. Friend describes has been sent to me, and it was also supported by a letter from his hon. Colleague (Mr. Tottenham). I have sent an answer, stating that it is estimated that a telegraph office at Carrigallen would not be remunerative, and expressing my regret that, under the rules now in force, unless the residents will guarantee the Post Office against loss, it will not be in my power to recommend to the Treasury that the telegraphs be extended to Carrigallen.

## LAW AND POLICE—THE CRIMINAL INVESTIGATION DEPARTMENT.

MR. M'LAREN asked the Secretary of State for the Home Department, Whether he has observed a paragraph in the "Daily News" and other papers, on the authority of the Press Association, in which the following is stated:—

> "It has been deemed advisable by Her Majesty's Government, after consultation with the police authorities, to add a section to the Criminal Investigation Department, the functions appertaining to which are to be strictly political. . . . It is understood that strong effort will be made to place our political police system on as firm a basis of efficiency as that which characterises the Parisian and Berlin police;"

and, whether the above statement is true?

SIR WILLIAM HARCOURT: No, Sir; there is no foundation for the statement as made in the passage referred to by the hon. Member. What has been done in the matter was, in my opinion, not only advisable, but most necessary should be done, and I may, happily, say it has been attended with signal success. It is this. We have set apart a certain number of intelligent officers, whose special business it will be to track out and arrest persons engaged in conspiracies to murder, burn, and destroy. I hope that I may be allowed to say that there can be no more dangerous or mischievous fallacy than to describe such conspiracies as political offences. Whatever may be the motives of those who commit them, these are crimes of the most nefarious character, and those who participate in them should be treated as ordinary criminals, both in regard to their detection and punishment.

### LAW AND JUSTICE—THE MAGISTRACY —THE LLANGOLLEN MAGISTRATES.

Mr. P. A. TAYLOR asked the Secretary of State for the Home Department, If his attention has been called to a sentence passed upon seven men by the Llangollen bench of magistrates, last week, of imprisonment, with hard labour, for one month, for sleeping in an empty kiln, by permission, as the men alleged, of the watchman; and, if he will cause inquiry to be made into the circumstances?

Sir WILLIAM HARCOURT, in reply, said, that correspondence was now going on in reference to the subject, and he therefore trusted that the hon. Member would postpone his Question for a short time.

### POOR LAW (IRELAND)—THE WORKHOUSE TEST.

Colonel COLTHURST asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been directed to a letter in the "Freeman" of Saturday, from Mrs. Poner Lalor, a lady engaged in relieving the distress in certain portions of Donegal; and, if so, whether the Government are still determined not to relax the Workhouse test?

Mr. TREVELYAN: Yes, Sir. My attention has been called to the letter referred to. It has been, from the moment that it appeared, the subject of special inquiry; and, so far, the results have not been such as would afford any ground for an alteration of the policy adopted by Her Majesty's Government in regard to the relief of distress. My hon. and gallant Friend does not quote the letter in his Question, so I will not enter into the information which has been received with regard to the allegations which it contains.

### POST OFFICE (CONTRACTS)—THE IRISH MAIL SERVICE.

Mr. MAURICE BROOKS asked the Postmaster General, If he could state how often during the past twelve months have the English mails viâ Holyhead and Kingstown been late for the morning mail train leaving Kingsbridge at 9 a.m.; and, what has been the cause assigned to the Post Office for the delay?

Mr. FAWCETT: Sir, in reply to my hon. Friend, I may state that, during the past 12 months, the English mails, *viâ* Holyhead and Kingstown, have been late for the morning mail train leaving Kingsbridge at 9 a.m. only eight times. Storm has been assigned on six occasions as the cause of delay; fog on one occasion; and a train accident on another.

### SOUTH AFRICA — BECHUANALAND — REPORT OF CAPTAIN HARREL.

Mr. A. M'ARTHUR asked the Under Secretary of State for the Colonies, Whether he is aware that, although a special Report, addressed by Captain Harrel, late of the 89th Regiment, to the Administrator of Griqualand West, on the affairs of Bechuanaland, was laid before the Cape Assembly in July 1880, it has not been published in this Country; and, whether he will issue it for the information of Parliament?

Mr. EVELYN ASHLEY: Yes, Sir, the Report will be laid upon the Table of the House.

### PARLIAMENT — BUSINESS OF THE HOUSE — THE PARLIAMENTARY OATHS ACT (1866) AMENDMENT BILL.

Mr. M'LAGAN asked Mr. Attorney General, When it is intended to move the Second Reading of the Affirmation Bill; and, whether, before that Motion is made, the Government will consider the desirability of so amending the Bill that it shall not be retrospective in its operation?

The ATTORNEY GENERAL (Sir Henry James): Sir, I am not in a position, myself, to answer the first part of the Question, as to when the Affirmation Bill will be taken. That is a Question in relation to the conduct of the Business of the House, and my hon. Friend will doubtless obtain the information he seeks from any statement the Prime Minister may make in relation to that Business. As to the second part of my hon. Friend's Question, I can say that the Government have already given to that subject the full consideration that its importance deserves. I think the House will agree with me that, in answering this Question, it would not be right for me to refer to the considerations that affected the judgment of the Government in coming to the conclusion at which they have arrived; but I would say, apart from any question of principle in relation to a subject which has been so acutely discussed, and which has attracted so much public attention, the Government have thought it right to be guided as much as possible by precedent, and I think it will be found that the precedent most applicable to the question in relation to the operation of this Bill will be found in the Roman Catholic Relief Act of 1829. It will be recollected that the principle of that Bill had been fully discussed, and had been before the constituencies for years; and when it was thought right to afford relief, and to change the Oath—so that Members should not take the Oath of Supremacy and Abjuration as then existing—that relief was only afforded to Members who were elected after that Act came into operation; and while I repeat that this is not the time to enter upon details of the considerations which have affected the Government's judgment, I have to say that when the Bill is in Committee the Government will be willing to introduce words into it similar to those in the Act of 1829, which will limit its effect to Members who shall be elected after the measure has become law.

Mr. LABOUCHERE: Will the House have the full opportunity of deciding by vote whether that principle shall be introduced or not?

The ATTORNEY GENERAL (Sir Henry James): Certainly.

## ELEMENTARY EDUCATION ACTS—THE NORTH SURREY DISTRICT SCHOOLS.

Mr. GRANTHAM asked the President of the Local Government Board, Whether there is any intention on the part of the Board to compel the Croydon Union, against the wish of the union, to separate from the North Surrey District Schools, situate at Anerley within the limits of the union; and, if so, by what power they can be compelled to separate against their wish, and to incur the very serious expense of purchasing land and building new schools when there is ample land at Anerley for any necessary enlargement of the existing schools?

Mr. HIBBERT: Sir, the North Surrey School District comprises three Unions — Wandsworth and Clapham, Lewisham, and Croydon. The population of these Unions has been, and still is, rapidly increasing, and the existing school, which provides accommodation for between 800 and 900 children, has become quite inadequate for the requirements of the district. It has been suggested by the managers of the school district that, under these circumstances, one of the Unions now included in the district should be separated from it. The Local Government Board have been considering whether the difficulty can be met by any other means; but have not yet arrived at a decision on the recommendation of the managers. The Board are empowered by the 7 & 8 *Vict.* Chap. 101, Section 43, and 30 & 31 *Vict.* Chap. 106, Section 16, to alter a school district by taking any Union therefrom. A Union, on its separation from a school district, is entitled to receive from the district the amount of its interest in the property of the district. As regards the suggestion that there is ample land at Anerley for the necessary enlargement of the existing school, the Board consider that it is undesirable to enlarge a school which already provides for between 800 and 900 children.

## ARMY (INDIA)—THE LATE INDIAN ARTILLERY.

Sir TREVOR LAWRENCE asked the Secretary of State for War, When he proposes to issue a Warrant placing Lieutenant Colonels of the late Indian Artillery, who were promoted after September 30th 1877, on the same footing, as regards tenure of command, &c. as officers of a similar rank of the old Royal Artillery List; and, whether he will be able promptly to put an end to the existing uncertainty as to these matters?

The Marquess of HARTINGTON: Sir, the officers referred to come within the provisions of what is usually known as the "Henley Clause" of the Act for the better government of India, by which they have a Parliamentary guarantee for the preservation of rights in the matter of service and promotion. Under that clause it is held that they are not subject to the articles of the Royal Warrant, which provide for removal from regiments after certain periods of command. Every effort has been made by the offer of liberal voluntary retirement—which offer is still open—to maintain the proper flow of promotion. So successful has this been that, at present, the senior majors on each of the Indian Lists are of shorter total service than those on the Royal List.

### INLAND REVENUE—COLLECTION OF INCOME TAX.

Mr. Alderman COTTON asked Mr. Chancellor of the Exchequer, Whether the contemplated change in the collection of the Income Tax should not be postponed, it being similar to that proposed by the Inland Revenue Board in the Customs and Inland Revenue Bills of 1866 and 1879, both of which were withdrawn when it was ascertained, from a deputation of collectors, that the Clause had been introduced without their having been heard; and, whether in justice to the collectors, more time and consideration should not be given to this matter before so many persons are deprived of their means of livelihood, and whose services have been so much esteemed by the taxpayers, and who are not aware that, up to this time, anything but satisfaction has been expressed with the present mode of collecting the Income Tax?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): Sir, with reference to this Question, I should prefer to give full explanations of our proposals when the clauses carrying them out are discussed in Committee on the Customs and Inland Revenue Bill; but I may say, generally now, that these proposals differ widely from those that were made in 1864 and in 1879, the former of which would have transferred to the Board of Inland Revenue the collection under all the Schedules, whereas we only deal with Schedules D and E, and the latter proposal—that of 1879—made inadequate provision for the equitable claims of the present collectors to compensation. The plan we propose works admirably in Ireland and Scotland and in many large English towns, the collections being more prompt and satisfactory in every respect. So far as the public are concerned, there can be no question that the collection by officers of the Board is much preferred to the old system, where that system has been discontinued. As to the collectors being deprived of their means of livelihood, I have already pointed out that they will retain the collection of Income Tax under the other Schedules and will receive compensation for their losses under Schedules D and E. If the Income Tax had been repealed, as proposed in 1874, they would have received no compensation whatever.

Sir STAFFORD NORTHCOTE: What is the difference in the arrangements made in 1874 and those made this year?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): Sir, if my right hon. Friend has so far forgotten his history, I shall be glad to recite it to him again. He must remember that the present Prime Minister expressly proposed at the Election in 1874 to repeal the Income Tax.

### THE DANUBIAN CONFERENCE—ADMISSION OF ROUMANIA.

Mr. O'DONNELL asked the Under Secretary of State for Foreign Affairs, If the British Representative at the recent Danubian Conference voted for the admission of the Roumanian Plenipotentiary with full powers to vote and speak on the questions under deliberation?

Lord EDMOND FITZMAURICE: Sir, there was no formal vote or division upon any of the questions which came before the Conference. If the hon. Member will refer to the Papers which have been laid on the Table, he will see, at page 19 of Danube No. 1, the circular-despatch in which Lord Granville proposed to admit Roumania to the Conference, on the same footing as the Powers signatories of the Treaty of Berlin; and, at page 11 of Danube No. 2, he will see the speech of Earl Granville on the same subject, expressing the same views.

### LAW AND JUSTICE (IRELAND)—GREEN STREET COURTHOUSE, DUBLIN.

Mr. MAYNE asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the case that the right of issuing tickets of admission to the Green Street Courthouse, during the present Commission, has been taken out of the hands of the high sheriff of the city of Dublin by Mr. Jenkinson, of the Criminal Investigation Department, Dublin Castle; whether it is the fact that the Green Street Courthouse has been built and maintained by the Dublin Corporation, on whose nomination the high sheriff was appointed; and, under what power an officer of police in Dublin Castle can set aside the privilege of a high sheriff to regulate admissions to the court of which he is the chief officer?

MR. TREVELYAN: Sir, all the arrangements in this matter have been placed in the hands of the Chief Commissioner of the Dublin Metropolitan Police, Mr. Harrel. This was done with the full concurrence of the Sheriffs, who were previously communicated with. The Green Street Court-house was built and has been maintained by the Dublin Corporation.

MR. O'BRIEN: Does the right hon. Gentleman know whether the City High Sheriff had arrangements actually made, and tickets actually printed for admission, and was obliged to cancel them on being summoned to Dublin Castle before Mr. Jenkinson?

MR. TREVELYAN: I am not aware of that. The answer I have got is, that the arrangements were made with the concurrence of the Sheriffs. If the hon. Member will put that as a further Question, I will make inquiries.

## NEW FOREST HIGHWAYS BILL—CROWN CONTRIBUTIONS IN LIEU OF HIGHWAY RATE.

MR. COMPTON asked the Secretary to the Treasury, Whether, after the passing of the New Forest Highways Bill, the Crown will contribute towards the maintenance of the highways taken over under the Act by the highway authorities?

MR. COURTNEY: Yes, Sir; I can assure the hon. Gentleman that the Crown will make a contribution in lieu of highway rate, based on the same principles as the contributions now paid in lieu of other rates.

## MERCANTILE MARINE—SIGNALLING AT SEA.

SIR JOHN HAY asked the President of the Board of Trade, If his attention has been called to a simple and inexpensive system of signalling introduced by Captain W. B. Barker, of the United States Merchant Navy, to be used by vessels approaching at sea (especially in dark or thick weather), so as to enable each vessel at once to know the course steered by the other, and thus considerably reduce the danger of collision at sea; and, if this plan has been submitted to him, whether he will refer it for consideration, not only to the nautical advisers of the Board of Trade, but also to the Trinity House and Admiralty? The right hon. and gallant Member wished to say, in explanation, that collisions at sea happened now at the rate of about one every four hours. The system to which his Question referred had been investigated by the Royal United Service Institution as a means of avoiding collisions.

MR. CHAMBERLAIN: Sir, my attention has been called to the invention of Captain Barker for the prevention of collisions at sea. It is one of 50 similar inventions, or, I should rather say, of inventions having a similar object, and the whole of these inventions have already been submitted to a Committee, consisting of Representatives of the Board of Trade, the Admiralty, and Trinity House. The first question to be decided is as to whether any alteration in sound signals is desirable or necessary. That is a very important question, because, if it is decided in the affirmative, it will have to be brought into operation by legislation, and the arrangements now in force in the case of every maritime nation will have to be revised. It is an international question, and it does not concern this country alone. If the Committee should be of opinion that such an alteration has become necessary, Captain Barker's invention will be submitted to detailed examination together with the others to which I have referred.

## LAW AND JUSTICE (IRELAND)—THE LAW ADVISER OF THE CROWN.

MR. P. MARTIN asked the Chief Secretary to the Lord Lieutenant of Ireland, When and under what circumstances was the office of Law Adviser in Ireland created; what were the duties imposed on that officer, and were same regulated by any Minute, or how otherwise; have any, and, if so, what, alterations been made in the nature of these duties; and by whom are such duties at present discharged; and, what arrangements have the Government made for their future discharge?

Mr. TREVELYAN: Sir, I regret I am unable at present to give the hon. Member the information he asks for, as to when, and under what circumstances, the Office of Law Adviser was created, and the nature of the duties originally imposed upon that officer. Upon receipt of Notice of this Question yesterday, a search was instituted and is still being continued among the ancient records and official papers of the Irish Office in London and Dublin, which might throw light on the subject. I may mention that the salary first appeared in the Estimates for the year 1849-50; but the Office existed prior to that time. No alterations have as yet been made by the present Government with regard to the duties of the Office, which are at present discharged by one of the Law Officers at Dublin; but, as I stated a few days ago, in reply to a Question put by the right hon. and learned Member for the University of Dublin (Mr. Gibson), the Government have under consideration the question of the re-organization of the legal assistance which is necessary at Dublin Castle.

Mr. T. P. O'CONNOR asked, whether one of the duties of the Law Adviser is not to advise magistrates in the exercise of their judicial functions?

Mr. TREVELYAN, in reply, said, that undoubtedly that had hitherto been rather an important part of the duties; but the Government, considering it a very questionable part, had instituted a close inquiry whether that practice ought to be continued.

Mr. T. P. O'CONNOR: I should like to ask, whether communications between the magistrates and the Law Adviser have not been more frequent and more intimate during the period of Office of the present Administration than that of any other previous Administration?

[No reply.]

### LAW AND JUSTICE — APPELLATE JURISDICTION OF THE HOUSE OF LORDS—LAY PEERS.

Mr. LABOUCHERE asked the Secretary of State for the Home Department, Whether his attention has been called to the report in the "Times" of the case of Bradlaugh v. Clarke, on whic judgment was given by the House o Lords, sitting as a Court of Appeal o Monday last, when, according to th said report,

> "Lord Denman, who had heard the arguments, expressed his concurrence in the judgmen of Lord Blackburn;"

whether, considering that Lord Denman i not a Law Lord, and that, in the case o the appeal of Mr. O'Connell to the Hous of Lords, all Lords, not being La Lords, were induced to withdraw because, although their abstract right t sit and vote could not be denied, it wa held, on the ground of long practic that the exercise of appellate jurisdictio was confined to Law Lords; and, whether it is his intention to take legislativ steps to make such long practice Law and thus prevent any Peer, not being Law Lord, from sitting and voting upo Appeal cases which are submitted to th House of Lords?

Sir WILLIAM HARCOURT: Sir, have received a letter from the Lor Chancellor on this subject, and I wi answer the Question of my hon. Frien in the words of that letter. He say that—

> "As legislation took place in 1876, on the subjec of Appellate Jurisdiction of the House of Lord and as the Act contains no provision to exclud by law any Peers other than the Law Lord from taking part in appeals, it was competen for the Peer in question to attend, as he did throughout the hearing of the case. If it ha been known that any opinion which that Pee might express would affect the result, a remonstrance would have been made to him, as i O'Connell's case; but it must be presumed tha under the circumstances, this was not though necessary."

### EGYPT (MILITARY EXPEDITION)—TH ARMY PAY DEPARTMENT—REWAR FOR SERVICES.

Mr. WHITLEY asked the Secretary of State for War, Whether it i true, as asserted in the "Army an Navy Gazette" of the 17th March, o the authority of an official statemen regarding the treatment of the Arm Pay Department in Egypt, that variou Departmental officers who were neve under fire had displayed qualities whic were rewarded by decorations and promotions; and, whether he could explai why none of the officers of the Army Pa Department who had been recommende by the head of their Department in tha

Country for their services under similar circumstances, had not been decorated or promoted?

Sir ARTHUR HAYTER: Sir, my attention has been drawn to the article in *The Army and Navy Gazette* to which the hon. Member for Liverpool (Mr. Whitley) refers, and I find various inaccuracies in it. The grant of decorations for service in time of war is generally limited either to those who have been actively engaged under fire, or who have performed duties of special responsibility during the campaign. Of the officers of the Commissariat and Store Departments who received decorations, the whole number, with one exception in each Department, served at the front and accompanied the advance to Tel-el-Kebir. Of the two excepted, the Commissariat officer was in chief charge at Ismailia, and the Store officer was in chief charge at Alexandria, where their duties were exceptionally heavy and responsible. The paymasters were all, or almost all, at the base of operations at Ismailia, and their duties were not of a specially responsible character, excepting those of the Chief Paymaster, Colonel Oliver, who received both a decoration and a C.B.

## POOR LAW (IRELAND)—ELECTION OF GUARDIANS FOR THE CORK UNION.

Mr. W. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the case that, at the recent election of Guardians for the Cork Union the returning officer after fixing a day for discussing a number of disputed votes refused to hear a solicitor employed for one of the candidates, argue the legal points in dispute, and announced that he would only hear the candidates themselves; whether, if this be so, the gentleman referred to was acting legally in so doing, or if he had a discretion in the matter; whether the Local Government Board would approve of the practice of excluding solicitors under such circumstances; whether it is the case that solicitors have frequently been heard before under similar circumstances by the returning officer in the same union; and, if so, whether there were any exceptional reasons for the returning officer's decision in this case; whether he is aware that it is the invariable practice for the returning officers at Parliamentary and other elections to hear any legal questions which may arise discussed by legal practitioners, and that the Acts regulating the Poor Law franchise are frequently confused and ambiguous so that questions of extreme difficulty and the determination of which requires much legal skill, often arise in construing them; and, whether, if the returning officer in question was justified by the present Law in the action he took, the Government propose to amend the Law in this respect in their promised measure dealing with Poor Law elections?

Mr. TREVELYAN, in reply, said, the Local Government Board had informed him that the Returning Officer stated that the question at issue in the case was the right of a landlord to vote for a candidate, and was one of fact, and not of law. Proofs had been promised, which were not forthcoming; and the solicitor desired to enter into a question of law which was not involved in the case. The Returning Officer declined to hear him; and, in so doing, acted entirely within his legal rights. The Local Government Board saw no reason to deprive him of the exercise of his discretion in the matter. The predecessors of this officer had on no occasion heard solicitors, for this was the only occasion in which a solicitor had ever attended at the election of Guardians for the Cork Union. The explanations given in the case did not appear to call for legislative interference; for the whole point turned on whether the question was a matter of fact or of law which was brought before the Returning Officer, and the statements were very definite on that score.

## SALE OF LIQUORS ON SUNDAY (IRELAND) BILL—THE PETITION OF THE TOWN COUNCIL OF THE CITY OF DUBLIN.

Mr. BLAKE asked the Right honourable the Lord Mayor of Dublin, Member for Carlow Borough, whether, of the 25 Members of the Town Council of the City of Dublin who voted in favour of the Petition to Parliament against the Sunday Closing of Public Houses, which he presented on Tuesday, a majority of that number were actually engaged in the whiskey trade; whether, during the debate that took place on the occasion of the Petition being adopted, his

Lordship's attention was called to the Law,

> "That no member of the Council having a pecuniary interest in any matter brought before he Council should vote thereon;"

if the town clerk advised that, in his opinion, the votes of those engaged in the spirit trade on a matter closely affecting their interests came within the section of the Act which was quoted; whether his Lordship, acting on the advice of the town clerk, warned the Members affected that, although their votes would be recorded, they voted at their peril; and, whether, had the votes of the Town Councillors interested in the spirit trade not been recorded, the majority would have been against the Petition?

Mr. DAWSON: Sir, I beg to say, in answer to the first paragraph of the Question, that it is not the case that the majority of the 25 members of the Town Council who voted in favour of a Petition to Parliament against Sunday Closing were actually engaged in the trade referred to. Only 10 out of the 25 who voted were actually engaged in the trade, and took part in the debate. During the debate, my attention was called to the fact that some members had a pecuniary interest in the matter brought before the Council, and had not a right to vote thereon. The Town Clerk did not advise me that these votes could not be taken; but, on my own motion, I read the section of the Act of Parliament relating to the question, and I left it to the members themselves to act on their responsibility, and abide by the consequences. It is not correct to say that the majority of the Council in the last division were directly engaged in the whiskey trade. Deducting the members engaged in the trade, the numbers for and against were even, 13 against 13.

## PEACE PRESERVATION (IRELAND) ACT, 1881—SECTION 1—ARREST OF MR. JAMES O'CONNOR.

Mr. ARTHUR O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been directed to the treatment of Mr. James O'Connor, Hon. Secretary of the Liberal Registration Association of Cork, who, on the 31st ult., was arrested on alighting from a train in which he journeyed from Tralee with several highly respected citizens taken to the police station, questioned as to his movements for several weeks past subjected to personal examination, and then released, after having been detained for the greater part of two hours without the least apology or explanation and, whether he will state upon what authority this was done, and whether he approves of the treatment to which Mr. O'Connor was subjected?

Mr. TREVELYAN: Sir, having had only one day's Notice of this Question, I have not had time to receive a written report, but I have received a telegram, from which it appears that the arrest and search of Mr. O'Connor took place under the authority of Section 1 of the Peace Preservation Act, 1881, and that he was not detained longer than was necessary to enable the police to comply with the Act by sending to the magistrate before whom he was to be brought. I should like to have a written Report on the matter before I answer the Question more explicitly.

## ARMY—THE EGYPTIAN EXPEDITION—IMPRISONMENT OF A SOLDIER.

Mr. JUSTIN M'CARTHY asked the Secretary of State for War, Whether a private soldier was discharged from the Brixton Military Prison on Tuesday, April 10th, after suffering six months imprisonment for an offence committed in Egypt; whether his period of military service terminated two months after his lodgment in the prison; whether he was guilty of any more serious offence than impatiently using a rude word to a sergeant, without any further display of insubordination; and, whether in that case the man's imprisonment for four months beyond the period at which he would be entitled to his discharge from the service was a necessary exercise of military discipline?

The Marquess of HARTINGTON: Sir, I have ascertained from the Governor of the Brixton Military Prison that no soldier was discharged from that prison on the 10th of April, whose imprisonment was for an offence committed in Egypt. The case of the soldier referred to in the hon. Member's Question cannot, therefore, be identified. If he will furnish me with further information I will endeavour to have the case identified and inquired into.

## DUCHY OF LANCASTER—SOUTHPORT FORESHORE.

MR. SUMMERS asked the Chancellor of the Duchy of Lancaster, Whether it be the fact that a certain portion of the foreshore of Lancashire in the estuary of the Ribble has been sold to the lords of the manor; when their offer was received, and when accepted, and what was its amount; whether for some months previously the same foreshore was under offer to the Corporation of Southport being considered by them highly necessary for the proper sanitation of the town; whether they offered a larger price than the lords of the manor, and for what reason their offer was disregarded, and, without notice to the Corporation, the other offer preferred; and, whether, if the facts be as stated, he will not suspend further action in the matter?

MR. DODSON: Sir, my answer to the first part of the Question is yes. The interest of the Duchy in this foreshore, the right to which was in dispute between the Duchy and the lords of the manor, has been sold to them. Their offer was received last Monday morning, previously to an offer made later in the day by the Corporation of Southport. It was accepted with some modification on Tuesday afternoon. The amount was £15,000. My answer to the third part of the Question is no. There had been negotiations with the Corporation in 1881; but these had practically come to an end long ago, and there was no offer whatever pending. My answer to the fourth part is this. There was no material difference between the offers; but, on the whole, we considered the offer of the lords of the manor the better. The offer made by the Corporation on Monday last was not disregarded; it was carefully considered. With regard to the fifth part, I am unable to suspend action in this matter, especially as a binding contract has been made from which neither the lords nor the Duchy can recede.

## PARLIAMENT—THE BOARD OF WORKS (IRELAND)—LEGISLATION.

MR. P. MARTIN asked the Secretary to the Treasury, Is he not aware he will receive all reasonable co-operation from Irish Members in passing such Bills as may be introduced to consolidate, simplify, and amend the laws relating to the functions of the Board of Works and Drainage in Ireland; and, when does he propose to bring in these Bills?

MR. COURTNEY: Sir, these Bills have been drafted in a first edition; and I expect the observations of the Board of Works upon those drafts to-morrow. I will deal with the subject as soon as possible; but fear I cannot at present name a day for the introduction of the Bills.

## ARMY—SECONDING OF OFFICERS APPOINTED TO SERVE IN THE EGYPTIAN ARMY.

MR. ARTHUR O'CONNOR asked the Secretary of State for War, If he will state what are the intentions with regard to the seconding of the Officers recently appointed to serve with the Egyptian Army?

THE MARQUESS OF HARTINGTON: Sir, officers permitted to serve with the Egyptian Army will, after three months of such service, be seconded in their regiments under the usual seconding regulation.

## POOR LAW (IRELAND)—INDUSTRIAL TRAINING OF PAUPER CHILDREN IN MOUNT MELLICK WORKHOUSE—DR. BOURKE'S INQUIRY.

MR. ARTHUR O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he will state the result of the inquiry on the 4th instant by Dr. Bourke, Local Government Board Inspector, regarding the industrial teaching of the pauper children in the Mountmellick Workhouse?

MR. TREVELYAN: Sir, the result of the inquiry is, that the Local Government Board have consented to the appointment of one of the two women whose selection as teachers was originally objected to. In the case of the other, the Inspector's Report has not enabled the Board to alter their previous decision, as the woman has three children, who it is proposed should remain as paupers in the workhouse. The Board considered that it would be detrimental to the good order and discipline of a workhouse, if the children of its officers resided in the house as pauper inmates.

MR. ARTHUR O'CONNOR asked, whether the right hon. Gentleman was not aware that the Board of Guardians found it practically impossible to find any other person to give the children industrial teaching?

Mr. TREVELYAN: Sir, it was for that reason that the appointment of one of the two women was sanctioned.

### ARMY—CONDITIONS OF ACCEPTANCE OF RECRUITS.

Colonel MAKINS asked the Secretary of State for War, Whether any, and, if any, what, modifications have been made in the conditions for accepting recruits for the Army; and, if a confidential Circular has been sent to Officers Commanding Districts on the subject?

The Marquess of HARTINGTON: Sir, the modifications which have been made are those explained in my speech in introducing the Army Estimates. The Circular referred to gives discretionary power to officers commanding districts to finally approve recruits who, in their opinion, as well as in that of the medical officers, are, though slightly under the minimum standard, likely to become efficient soldiers.

In reply to Sir Walter B. Barttelot,

The Marquess of HARTINGTON said, that it was not possible yet to state what effect the Easter Manœuvres had had in the obtaining of recruits.

### POST OFFICE—TELEGRAPH DEPARTMENT—PORTERAGE OF TELEGRAMS.

Mr. DALRYMPLE asked the Postmaster General, Whether, in view of the proposed cheapening of telegrams, he will consider the possibility of reducing the heavy charge of one shilling a mile for delivery at long distances, a charge which in remote country places, where the need of the telegraph is greatly felt, puts it beyond the reach of all but the wealthy?

Mr. FAWCETT: Sir, in reply to the hon. Member, I may state that the charge of 1*s*. per mile is for the delivery of telegrams by mounted messengers at distances of three or more miles. The whole charge is paid over to the messenger, and the Post Office makes no profit out of it. In Ireland, where mounted messengers can generally be procured at 8*d*. a-mile, that is all that is charged. It is only the actual cost of delivery that the public are required to pay in any case, and if a message can be sent by a foot messenger, instead of a mounted messenger at a cheaper rate, no objection is made to this being done.

### PARLIAMENT—MINISTER OF AGRICULTURE AND COMMERCE.

Sir MASSEY LOPES asked the First Lord of the Treasury, Whether he has now completed the arrangements for giving effect to the Resolution of 13th May 1881, with reference to the appointment of a Minister of Agriculture and Commerce; and, if so, whether he would explain to the House the nature of the changes that have been made in the several Departments concerned?

Mr. GLADSTONE: Sir, I stated some time ago that the Government were prepared with a plan for giving effect to the pledge that they gave the House now a considerable time ago. I also stated that we should take care that the House should be put in possession of the particulars of the plan, and that the matter should be brought before the House at a period perfectly convenient for its consideration. I cannot now name a day on which I could propose to enter on the subject owing to the state of Business; but I reiterate the pledge, and I hope the hon. Gentleman will be satisfied with that statement.

### CIVIL SERVICE COMPETITION—CLASS I.—CLERKSHIPS.

Baron HENRY DE WORMS asked the Secretary to the Treasury, Whether it is true, as stated in the "Civil Service Gazette," that a competition has lately been held for Class I. clerkships in the Civil Service, and that sixteen candidates have been selected for appointments to various Departments, although there are numerous "redundant" clerks, with from fifteen to twenty-five years' official experience in various branches of the Service waiting to be absorbed in the higher division?

Mr. COURTNEY: Sir, a competition for superior clerkships in the Civil Service has recently taken place. It is also the fact that, in some Departments, there are certain clerks outside the proper organization of the office, who have a claim, if qualified, to be included in the upper division of their Department as soon as vacancies occur in it. But there are no such redundants in the

Departments to which appointments will be made from the recent competition; and there are very great difficulties in transferring redundant clerks, possessing such experience as is described in the Question, from one Department to another, although the advantages of such a course is not lost sight of.

### THE TRANSVAAL GOVERNMENT—DR. JORISSEN.

Mr. ONSLOW asked the First Lord of the Treasury, Whether the object of Dr. Jorissen's visit to this Country is to induce Her Majesty's Government to consent to an alteration in the boundary line fixed by the recent Transvaal Commission; or to assure Her Majesty's Government that the Boer Government would take more determined steps than heretofore to prevent subjects of the Transvaal and others from making raids into Native territory adjoining that country; or to prevail upon Her Majesty's Government to modify any portion of the Convention; and, if not for any of these reasons, if he could inform the House of the precise object of the recent interview between Dr. Jorissen and Her Majesty's Government?

Mr. GLADSTONE: Sir, I have made inquiry at the Colonial Office, and I find the state of the case is this. Dr. Jorissen is, properly speaking, on a visit of an unofficial and personal character, not to this country, but to Holland. He has come here upon his way, and is, likewise, I understand, to return here and stay for a short time. He has had an interview with Lord Derby, in which he entered generally upon the question relating to the state of things in Bechuanaland, and in which Lord Derby understood him to state that the Chiefs had made peace amongst themselves, and that quiet was being established. This I am not giving officially; I only mention it as a fact of interest reported to me, on which we have no official information. Dr. Jorissen also said he proposed, on his return, to explain fully his views upon the position of things in the Transvaal, which Lord Derby would be very glad to hear. Dr. Jorissen has no mission from the Transvaal Government, and, as had been intimated to the hon. Member on a previous occasion, if he had, it would have been his duty, in the first place, to refer it to the High Commissioner, who is expected in this country shortly, and who will have an opportunity of advising the Government on anything which Dr. Jorissen may express. The hon. Member will see that I have no power of describing the object of the visit, nor am I in a position to afford more definite information as regards it.

Sir MICHAEL HICKS-BEACH: May I ask the right hon. Gentleman, are we to understand that Dr. Jorissen will not enter into communication with the Dutch or any other foreign Government?

Mr. GLADSTONE: I cannot say that. He is here upon his own private affairs, and I do not think we have any title to expect from him an engagement upon that subject. I understood it to be an unofficial private visit to Europe, with no official mission of any kind to any Government.

Mr. ONSLOW said, he wished to remind the Prime Minister that, in January last, Lord Derby laid it down most distinctly that if the Boer Government wished to make any change in the Transvaal Convention, they must make their application through the Resident.

Mr. GLADSTONE: Sir, that is not inconsistent with what I said, because it might be expedient that any application should come through the Resident. What is strictly laid down in the Convention is that, in regard to communications with foreign Powers, the Transvaal State will correspond with Her Majesty's Government, through the British Resident or the High Commissioner; so that it does not touch any question of communication with the British Government.

### POST OFFICE (IRELAND)—THE TINAHELY POSTMASTERSHIP.

Mr. M'COAN asked the Postmaster General, Whether he will place upon the Table Copies of any Correspondence which has passed between the Post Office authorities in Dublin or London and persons objecting to the appointment, in February last, of Mr. Peter Murphy to the postmastership at Tinahely; whether the rule with regard to such appointments is not that, when once made, they are seldom or never disturbed except on the ground of misconduct on the part of the nominee, or of the unfitness of his premises for postal service; and, whether he will state to the House the specific grounds on which the appointment of Mr. Murphy has now, in April, been cancelled?

Mr. FAWCETT, in reply, said, it was not usual to publish the correspondence which took place between the Post Office and private individuals. When a person was nominated by the Treasury to a sub-postmastership, his appointment was not confirmed unless the Postmaster General had ascertained that the person was in every respect qualified for the discharge of the duties. He might say that, with regard to the appointment of Mr. Peter Murphy to the postmastership of Tinahely, his nomination had not been cancelled, and the question as to whether he should be appointed was still under consideration.

## POST OFFICE—BUILDINGS—THE EXETER POST OFFICE.

Mr. H. S. NORTHCOTE asked the First Commissioner of Works, Why builders desirous to tender for the erection of the new Post Office at Exeter are required to attend at the office of works Bristol to inspect required drawings and specifications for the building; if he is aware that, with regard to the Post Office proposed to be built at Lincoln, a much less populous town than Exeter, arrangements have been made whereby drawings and specifications for the proposed new office can be inspected at Lincoln; and, if he will arrange that Exeter builders desirous to tender for the erection of the new Post Office shall have an opportunity of seeing the required specifications and drawings at Exeter?

Mr. SHAW LEFEVRE said, with regard to the circumstances referred to, it was too late, if it were desirable, to make any change, as the tenders had to be sent in by next Monday. The competition was an open one.

## IRELAND—ARRESTS FOR DRUNKENNESS—THE CONSTABULARY REPORTS.

Mr. CALLAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If he will lay upon the Table of the House copies of the reports made to the Judges at the late Assizes in Ireland by the county inspectors of Royal Irish Constabulary, or copies of such portions of these reports as relate to arrests for drunkenness?

Mr. TREVELYAN, in reply, said, that the Returns as to the number of arrests for drunkenness that took place in Ireland were laid on the Table two or three days ago. They were, practically, the same that were laid before the Judges. If the hon. Member would communicate with him privately, he dared say he would be able to give him the information he required.

## POST OFFICE (CONTRACTS)—THE IRISH MAIL SERVICE—THE PAPERS.

Mr. DAWSON asked the Secretary to the Treasury, Whether, considering that a deputation on the Mail Contract between England and Ireland are to wait upon the Prime Minister and the Chancellor of the Exchequer on Friday, he will lay all the Correspondence and Papers on the subject at once upon the Table to enable honourable Members to become acquainted with the facts?

Mr. COURTNEY: Sir, I am obliged to the right hon. Gentleman for having postponed this Question from yesterday, when I could not conveniently answer it. The Government will take care that the House will be fully informed of the facts of this case before they are called upon to give a decision on the subject; and they are pledged to present the Correspondence as soon as it is complete. But I would observe that to-morrow the deputation intend to address the Government, and not this House; and I therefore think that it would not be respectful to the House to present the Correspondence for this reason. I cannot but suppose that the Gentlemen who will wait on the Prime Minister and the Chancellor of the Exchequer have already sufficiently acquainted themselves with the facts of this matter.

Mr. DAWSON: The facts that I refer to are in the Correspondence that passed between the Government and the Companies; and, until the Correspondence is laid on the Table, how can we be aware of them?

Mr. COURTNEY: I suppose the hon. Members who intend to wait on the Prime Minister have made up their minds on the matter, and must fall back upon the materials before them?

Mr. GRAY: It is impossible for people to make up their minds on figures that are not before them. What we want to know is, will the figures of this contract be placed on the Table this evening?

Mr. COURTNEY: I will take care that those figures will be laid before the House in sufficient time; but, at present, it is not quite convenient to do it.

## EAST INDIA—CODE OF CRIMINAL PROCEDURE AMENDMENT BILL.

Mr. O'DONNELL asked the First Lord of the Treasury, Whether his attention has been drawn to statements made by the opponents of the Indian Criminal Code Amendment Bill, that said Bill is not desired by the Native opinion; whether, on the contrary, practical unanimity exists in the native Press upon the subject; whether a joint memorial from the British Indian Association, the Indian Association, the Mahomedan Literary Society, the National Mahomedan Association, the East Bengal Association, and the Vakils' Association of Calcutta, has been presented to the Viceroy, expressing—

> "Feelings of deep satisfaction and thankfulness for the introduction into the Viceregal Council of the Criminal Procedure Code Amendment Bill with the view to removing judicial qualification of race in the trial of European British subjects in criminal cases as a step towards establishing equality in the eye of the Law, without invidious distinction of country, race, or religion;"

and, whether Government will take any steps to supply Parliament with authentic information upon the wants and wishes of the Native people of India upon the question of establishing equality before the Law between all subjects of the Crown in India?

Mr. GLADSTONE: Sir, it is not in our power to give the particular information to which the hon. Member's inquiry refers, and which probably he has obtained from the public journals; but our impression is very much to the effect that the hon. Member appears to desire to convey through the Question—that is, that the Indian vernacular Press, speaking generally, is very much united in approval of the measure which has been introduced by Lord Ripon and his Government. A Native Member of the Council, it is said, was opposed to the measure; but it is also stated that he was severely taken to task by those who considered themselves his constituents for adopting that course. Her Majesty's Government has not any means of ascertaining in an official and completely authentic manner the sentiments of the Native population, and can only learn them from the Native Press, and from those with whom the Natives communicate.

Mr. MACFARLANE asked, whether the Bill preceded the Memorial, or the Memorial the Bill?

Mr. GLADSTONE, in reply, said, that the Bill was introduced antecedently to the Memorial, and the Memorial was in support of the Bill.

## PARLIAMENT — BUSINESS OF THE HOUSE — PARLIAMENTARY OATHS ACT (1866) AMENDMENT BILL.

Sir STAFFORD NORTHCOTE asked the First Lord of the Treasury, Whether, having regard to the several decisions of the Courts of Law, to the effect, on the one hand, that a Member of this House, not belonging to one of the religious denominations who are permitted by statute to make an affirmation instead of taking an oath, commits an illegal act, subjects himself to penalties, and makes void his election by sitting and voting in this House without having taken the oath required by Law, and on the other hand that such a Member can only be proceeded against by Her Majesty's Attorney General, he proposes to repeal the Standing Order 22a, of the 1st July 1880, permitting Members to make a solemn affirmation instead of taking an oath, subject to any liability under statute; or whether he would undertake that, in the event of any Member so rendering himself liable, the Attorney General shall institute the proceedings necessary to maintain and enforce the Law?

Mr. LABOUCHERE: Sir, before the right hon. Gentleman answers that Question, I wish to ask, Whether, having regard to the fact that the Lord Chancellor in his judgment on Monday, in the case of Bradlaugh *v.* Clarke, stated that Mr. Bradlaugh is not entitled to affirm, but is bound to swear his allegiance, the Executive intends to take steps to protect Mr. Bradlaugh from interference in fulfilling, not only what he is legally entitled to do, but what the Lord Chancellor has, in the highest Appeal Court, stated it is his bounden duty to do; and, whether, in the event of the right hon.

Gentleman replying in the affirmative, he will give the House the assurance that the Government will not support any Bill sent down from the House of Lords, relieving Peers from pecuniary liability for sitting and voting before taking the Oath of Allegiance—two such Bills, one, I believe, in the case of a Bishop, having been passed with the concurrence of the Government in the present Parliament?

Mr. GLADSTONE: Sir, perhaps it would be more convenient that I should refer first to the Question which has just been put by my hon. Friend the Member for Northampton (Mr. Labouchere). With regard to the inquiry founded upon the declaration of the Lord Chancellor, as I only received a quarter of an hour ago an intimation that this declaration had been made, I am quite ignorant of the terms and circumstances to which reference has been made. I think, therefore, I had better not make any answer upon that declaration without particulars, and without consultation with the Lord Chancellor before I make an answer. With regard to the second Question, I am not prepared to give any pledge upon the subject of Bills which may appear at a future time for relieving noble Lords from penalties in consequence of certain omissions on their part, because the course we may take upon these Bills would depend in a great measure on the circumstances under which the omission had taken place. I am afraid that I cannot give any positive answer upon either point. With regard to the Question of the right hon. Baronet (Sir Stafford Northcote), I am much obliged to him for having placed this Question before me. The Question begins by reciting two judgments which have taken place—one of them a judgment which put a negative upon any right to merely optional declaration in this House, that was given in relation to the case of Mr. Bradlaugh; and the other, the judgment which has determined that what is called the "common informer" cannot prosecute, and that there can only be a prosecution by the Attorney General. Under those circumstances, the right hon. Gentleman asks, whether we are prepared to move the repeal of the Standing Order which allowed Mr. Bradlaugh to declare, subject to liability in a Court of Justice; or, if we are not prepared to move that repeal, we will undertake that, in the event of any Member so rendering himself liable, the Attorney General shall institute the proceedings necessary to maintain and enforce the law. With regard to the repeal of the Standing Order, what we think is that we had better reserve consideration of that subject until the House has determined the course they think fit to take with regard to the Affirmation Bill. With regard to the other question, whether the Attorney General will undertake, on behalf of the Government, to institute proceedings in the event of what would now be a breach of the law in a Member tendering himself to declare, in face of the judgment of the Courts, I have to say that undoubtedly we do undertake that the Attorney General will think it his duty to institute the proceedings necessary in the case.

Sir H. DRUMMOND WOLFF asked the Prime Minister, Whether the Cabinet, before proposing the Resolution of the 1st of July, 1880, for the acceptance of the House, consulted the Law Officers of the Crown, the Lord Chancellor, or the Judges of the Appellate Court, as to the opinion subsequently expressed by the Solicitor General in the course of the debate as to the competency of a Court of Law to decide the question, when—

> "He asserted, with the utmost confidence if he (Mr. Bradlaugh) was sued for penalties, no Resolution of that House would for a moment stand in the way of the proceeding?"

Mr. GLADSTONE: The hon. Gentleman has put to me rather a difficult and complicated Question; but, speaking from recollection, I am not aware that the Cabinet have entered upon the consideration of the matter to which the hon. Member refers. My hon. and learned Friend the Solicitor General did, in the exercise of his duty, in this House give a certain opinion, and I believe that opinion was fully confirmed and corroborated by the judgment of the Court of Appeal. If the hon. Gentleman thinks it desirable that I should make further inquiry into the matter, perhaps he will give Notice of the Question.

Sir H. DRUMMOND WOLFF gave Notice that he would repeat his Question on Monday.

## PARLIAMENT—GRAND COMMITTEES—REPORT OF PROCEEDINGS AND SPEECHES.

Mr. SHEIL: I beg to ask the First Lord of the Treasury, Whether he is aware that in the Standing Committee Room E. there is not space for more than some fifteen person in the part reserved for the Members of the House who are not Members of the Committee; how Members of the House are to obtain an authoritative knowledge of the proceedings and speeches in the Standing Committees; and, whether since the reports of debates in this House which appear in the newspapers frequently differ, and that an official reporter attends on Select Committees, whose reports of the proceedings of such Committees are sent to every Member of the House, if he would consider whether an official report of the proceedings and speeches in the Standing Committees should not be made? I wish to say that the last part of the Question does not appear on the Paper in the form in which I gave the Notice.

Mr. GLADSTONE: Sir, I can only answer the Question as it stands upon the Paper; and, in doing so, I must refer the hon. Member to the explanation I have already given to him, when he put the Question to me the other day. Of course, the hon. Member is aware that I have no authority to settle the accommodation provided in the Grand Committee Rooms; but I understand the Question to be an appeal to me in regard to a complaint as to a certain state of things which is alleged to exist in connection with the new Grand Committee Rooms. If that is so, I am bound to say I think it would be a mistake, at this moment, at the very commencement of the trial of an interesting and important experiment, if a very large provision were made, on the assumption that there would always be a great number of the Members of this House in attendance upon the proceedings of these Grand Committees. As far as I am able to judge, I believe that the space allotted to Members of the House who are not Members of the Committees is sufficient. Then, with regard to obtaining authoritative knowledge of the proceedings of these Committees, as the hon. Gentleman knows, he has the different journals to refer to, and he has, in addition, the power of personal attendance, in which he is not likely to be obstructed; and, finally, he has the power of referring to the Report of the proceedings of the Committees, which is supplied from day to day to this House. With regard to the hon. Member's final interrogatory, whether, as an official reporter attends on Select Committees, whose reports of the proceedings of such Committees are sent to every Member of the House, I would consider whether an official report of the proceedings and speeches of the Standing Committees should not be made, I may say that the case, with regard to the Select Committees, is this—the Questions and Answers are reported in full, and in shorthand, and they appear afterwards as official reports of the evidence; but there is no official report of the proceedings of a Select Committee as far as the speeches are concerned neither in shorthand nor in full. All that is given is the proceedings in the same sense as the record of the proceeding of this House. The reporting of speeches in Select Committees has never been thought of. I have already said, and I must adhere to the opinion I have expressed, that it would be premature and inconvenient in the present position of the subject to consider the question of official reports of speeches in connection with the sittings of the Grand Committees.

## PARLIAMENT — BUSINESS OF THE HOUSE—THE TRANSVAAL DEBATE.

Lord GEORGE HAMILTON asked the First Lord of the Treasury, Whether, considering that his first Amendment upon the Transvaal Debate contained the statement that the Transvaal Government were unable to restrain certain destructive agencies in Bechuanaland, and that he has now withdrawn the distinct assertion, which for more than three weeks formed an essential part of the Government statement of fact upon which they relied for a Vote of Confidence from the House, he will place the House, before the Debate is resumed, in possession of the new facts which have caused the Government to change their opinions during the last three weeks on the vital question of the good faith of the Boer Government?

Mr. GLADSTONE: Sir, this Question of the noble Lord has, I think, been put in some misapprehension of the facts of the case. As I understand them, there is no change of opinion whatever on the part of the Government respecting the good faith of the Transvaal Government; but, as it has been represented to me that the words used in the Motion tended to imply an opinion of the good faith of that Government, it would be better, perhaps, that that subject should not be introduced at all. It is no part of the case before us, as we view it, to make any charge against the good faith of the Transvaal Government. I do not think we have evidence warranting the discussion of the question, and therefore we shall not do it, if we make the suggested change in the Motion, the question at issue not being affected in any way by this change. In the opinion of the Government, the Motion referred to by the noble Lord is no Vote of Confidence in the slightest degree, but rather in the nature of an indication of the desire of the House, and in the nature of a direction from the House to the Government. It is no Vote of Confidence; it implies no approbation, and says nothing which can be so construed.

Sir MICHAEL HICKS-BEACH asked the Under Secretary of State for the Colonies a Question, of which he had given him private Notice, As to what interpretation the Government put upon the words of the Amendment of the right hon. and learned Gentleman, as to the making of adequate provision for the Bechuana Chiefs?

Mr. EVELYN ASHLEY said, he could only refer the right hon. Gentleman to an answer which he gave quite recently on the subject to the hon. Member for Kendal (Mr. Cropper). To that answer he could add nothing.

Sir MICHAEL HICKS-BEACH: Was it the fact that adequate provision was to be made for the Chiefs alone, and not for the people?

Mr. EVELYN ASHLEY, in reply, said, the only communication they had sent had reference to the Chiefs, and their immediate followers.

Mr. CROPPER asked, what were the penalties incurred for the sale and transport of powder from the Colonies to Bechuanaland?

Mr. EVELYN ASHLEY, in reply, said, the maximum penalty was £500, or five years' penal servitude.

Mr. GLADSTONE said, he desired to qualify a portion of the answer he gave to the hon. Member for Guildford (Mr. Onslow) with reference to the Transvaal. He implied the opinion that if Dr. Jorissen had come as representing the Transvaal Government, he could not have made his application direct, but through the High Commissioner. He wished to withdraw that assertion, and to express no opinion upon it.

## PARLIAMENT—PARLIAMENTARY OATH (MR. BRADLAUGH).

Sir HERBERT MAXWELL asked the Prime Minister, Whether, in consequence of the ground on which recent judgment of the House of Lords proceeded, it was intended that the Attorney General should now institute proceedings against Mr. Bradlaugh for sitting and voting in Parliament without having taking the Oath prescribed by law?

Mr. GLADSTONE, in reply, said, that the Government had no such intention, because the circumstances in which Mr. Bradlaugh had sat and voted were wholly different from the prospective case contemplated by the hon. Baronet, and were such as would not justify any such action being taken.

## PARLIAMENT—PUBLIC BUSINESS.

Mr. GLADSTONE: Perhaps it would be convenient that I should now state the course of Public Business during the next week. This evening will probably be occupied with the second reading of the Criminal Code Bill, and we are not without hope that the debate will be brought to a conclusion this evening, and the Bill referred to a Standing Committee. Upon that assumption, I look a little forward, and wish to state that, in my opinion, the time has now come when the Message may be brought down from the Crown relating to our intention to propose a grant of certain annuities to Lord Wolseley and Lord Alcester, in recognition of their services in Egypt. In that case the regular course would be that it should be taken into consideration on Monday, when it would form the first Business. After that we propose to proceed with the Patents Bill, and if any part of the evening remains available, we shall go to the Business of Supply.

MR. A. F. EGERTON asked, when the Navy Estimates would be taken?

MR. GLADSTONE, in reply, said, he could not make any further declaration as to the course of Business until the Criminal Code Bill was read a second time.

SIR STAFFORD NORTHCOTE asked the Chancellor of the Exchequer, when he intended to proceed with the Customs and Inland Revenue Bill?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): Not to-night, nor to-morrow; but I may be able then to say when I shall.

MR. BERESFORD-HOPE asked, when the next stage of the Ballot Act Continuance and Amendment Bill would be taken?

SIR CHARLES W. DILKE, in reply, said, that when the Bill next came on, and the Speaker left the Chair, he would not take the Hours of Polling Clause. He should not move that the Speaker do leave the Chair after 11 o'clock that night.

MR. ONSLOW asked, whether, if the debate on the Transvaal should not be finished to-morrow, it should be adjourned until the Tuesday or Friday following?

MR. GLADSTONE, in reply, said, that to-morrow they should see what might be done.

MR. LABOUCHERE: I beg to give Notice that I shall oppose the grants of money to Lord Wolseley and Lord Alcester.

MR. GLADSTONE: Considering the nature of the proposal, and that it would arise on that of a Message from the Crown, is it not much better that my hon. Friend should be satisfied to oppose it when we introduce it in a Bill, when it would come forward regularly as an Order of the Day?

MR. LABOUCHERE: Certainly.

SIR GEORGE CAMPBELL: I beg to give Notice that on the Votes for the grants to Lord Wolseley and Lord Alcester, I shall support the grant to Lord Wolseley, he having saved our money and lives; but I shall oppose the grant to Lord Alcester, on the ground that he only did his duty.

Subsequently,

MR. GLADSTONE stated that, in order not to keep hon. Members in uncertainty, he would now say that the Government would restrict themselves to Bills on Monday.

## *ORDER OF THE DAY.*

## CRIMINAL CODE (INDICTABLE OFFENCES PROCEDURE) BILL.

(*Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland.*)

[BILL 8.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Attorney General.*)

MR. STANLEY LEIGHTON: I rise, Sir, to a point of Order. I wish to call your attention to the fact that Part VIII. of the Bill, which we are now asked to read a second time, is the same in substance as the Bill the second reading of which was resolved in the affirmative on Monday last. I presume that you, Sir, take official cognizance of the contents of that Bill. Its object and its title is "To Establish a Court of Appeal in Criminal Cases." Part VIII. of this Bill also proposes to do the same thing by providing that any five Judges of the High Court shall be a Court of Appeal in criminal cases. And it is further proposed that that Court, when constituted, shall deal with the same subject-matters as those which are included in the Bill already referred to the Grand Committee—that is to say, the constitution, jurisdiction, and evidence which appertain to a Criminal Appeal Court. Now, I wish to call your attention to the law of Parliament on this matter, as stated in the book to which we all refer. I find that in page 305 of Sir Erskine May's book, it is said—

> "It is a rule, in both Houses, not to permit any question or bill to be offered, which is substantially the same as one on which their judgment has been expressed in the current session. This is necessary, in order to avoid contradictory decisions, to prevent surprises, and to afford proper opportunities for determining the several questions as they arise. If the same question could be proposed again and again, a session would have no end, or only one question could be determined; and it would be resolved first in the affirmative, and then in the negative, according to the accidents to which all voting is liable, and a mere alteration of the words of a question, without any substantial change in its object, will not be sufficient to evade this rule."

And then, Sir Erskine May proceeds to quote precedents—

"On the 7th July, 1840, Mr. Speaker called attention to a motion for a bill to relieve Dissenters from the payment of Church rates before he proposed the question from the Chair. Its form and words were different from those of a previous motion, but its object was substantially the same, and the House agreed that it was irregular, and ought not to be proposed from the Chair. Again, on the 15th of May, 1860, the order for the second reading of the Charity Trustees Bill was withdrawn, as it was discovered to be substantially the same as the Endowed Schools Bill, which the House had already put off for six months."

Now, the Charity Trusts Bill and the Endowed Schools Bill, are precisely on all fours with the case before us. The former simply provided that persons of any religious denomination might be trustees of a charity. The latter dealt with the government of endowed schools, with the masters, scholars, parents, course of teaching, &c. But because the two Bills happened to coincide in admitting to trusteeship persons of any religious denomination, the Speaker declared their objects substantially the same, and declared the rule in these words—

"That a question being once made and carried in the affirmative or negative cannot be questioned again, but must stand as the judgment of the House."

You will see, Sir, that affirmation and negation in this case are convertible terms, and that it does not matter whether the former Bill has been affirmed or negatived. You will also notice that the question must be decided by the Speaker, and not by the majority of the House. Now, in order to test whether Part VIII. of the present Bill is not identical with the Criminal Appeal Bill, I may call attention to the fact that there is an Amendment upon the Paper, which was suggested by the speech and Amendment of the hon. and learned Member for Launceston (Sir Hardinge Giffard) on the former Bill. That Amendment is to the effect—

"That no Bill on Criminal Procedure will be satisfactory to this House which diminishes the responsibility of the jury by giving an appeal against their verdict."

Now, that is an Amendment which would have been fatal to the first Bill; and I ask whether every speech made for and against the Criminal Appeal Bill, would not, when we discuss this Amendment, be pertinent to the Bill now proposed? This, therefore, is a second Bill on the same subject, and if the Government should persevere in the course they have taken, may they not bring in a third Bill, and may not every one of the 600 Members of this House bring in a Criminal Appeal Bill sandwiched in this way between the clauses of another Bill? If that is done, that which Sir Erskine May so clearly prophesied, will inevitably take place. The Session will have no end, and the only possible result can be the passing of one Bill. In point of fact, if we accept the Amendment I have read to you, we shall come to a contradictory conclusion on the same matter, in the same Session; and the object aimed at in this rule is to prevent the possibility of such a thing occurring. I would also suggest this further test—supposing the first Bill had been rejected, would it then have been possible, in that case, for the Government to have brought in this second Bill, containing, as it does, a number of clauses to secure an object which had been already rejected by the House? I have pointed out to you, Sir, that, according to precedent, whether a Bill is affirmed or rejected, the rule which forbids its re-discussion is precisely the same. All I ask you now is, whether Part VIII. of the Bill now before us is not substantially the same as the Criminal Appeal Bill. If you declare it to be the same, then, I presume, the House will accept your ruling, and not proceed with the second reading of the present Bill? I may also add that the hon. and learned Gentleman in charge of the Bill has already admitted that the two measures with regard to Criminal Appeal are practically the same in principle, and that it is only in matters of detail that they differ.

Mr. SPEAKER: I have examined the two Bills to which the hon. Member refers. The scope of the one is limited to providing a Court of Appeal; the other has a much wider scope. Now, these are both measures for the consideration of the House; and, as the House is well aware, it very often has before it several Bills for effecting the same object. No doubt, if one of these Bills were rejected by this House, and it were proposed then to proceed with another Bill substantially the same, it would be irregular. But no Bill has been yet rejected by this House on this matter; and I see no ground for interposing between the hon.

and learned Gentleman and the House with respect to the Bill now before the House. With regard to the quotation which the hon. Gentleman has cited, it does not apply, because that quotation does not refer to Bills under the consideration of this House. These two Bills are now under the consideration of the House, and it is open to the House to take whichever Bill it prefers, or to consolidate them if it thinks it necessary to do so.

Mr. MORGAN LLOYD, in rising to move, as an Amendment to the Motion—

"That, in the opinion of this House, no Bill is satisfactory which, in a trial for criminal offence, directly or indirectly compels the accused person or his or her wife or husband to submit to cross-examination,"

said, he wished to support the Bill, and not to throw any difficulty in the way of its second reading. But he thought there were some provisions in the Bill which ought to be discussed in the House, and not left to be disposed of in the Grand Committee. Those were provisions which involved a fundamental change in some of the most cherished principles upon which the administration of our Criminal Law was founded. It had always been a recognized principle of our law that no man was bound to criminate himself, and persons accused of crime were, therefore, incapable of giving evidence either for or against themselves. Now, the present Bill proposed to depart from those principles, and to make prisoners admissible witnesses and liable to cross-examination. In other words, it proposed to substitute the Continental for the English system. It would be said, no doubt, that prisoners were only made admissible witnesses on their own behalf, and were not compelled to give evidence for the prosecution; but would anyone say that if a prisoner was by law an admissible witness for the defence, he would not be morally compelled to give evidence? If he did not tender himself as a witness, his silence would be taken as an admission of guilt. To enable him to give evidence was, therefore, to compel him to do so. The change was proposed in favour of the accused; but would he be benefited by the change? He could now make a statement not upon oath, if not defended by counsel, and many Judges had allowed him to do so even when so defended. Would his statement obtain greater credence if given on oath? At present, the Judge held the balance fairly between the prisoner and his accuser; but if the proposed change were made, the Judge might come into conflict with the prisoner, and there was danger that at English criminal trials such scenes as had been seen in Continental countries might occasionally be witnessed. Another objection to the change was that it would lead to perjury. If a prisoner gave evidence, he would be bound in self-defence to deny his guilt. If convicted of the crime charged, he would therefore be virtually convicted of perjury. Was he to be tried and punished for the perjury? And, if not, what a spectacle would be presented to the country of perjury going unpunished. He thought the proposed change most dangerous, and trusted it would not be adopted by the House. He begged to move the Amendment which stood upon the Paper in his name.

There being no Seconder, the Question was not put.

Mr. INDERWICK, who had given Notice of the following Amendment:—

"That no reform of the Procedure in Criminal Cases will be satisfactory which does not provide that the evidence of persons charged with crimes and offences shall be taken in all respects as if they were defendants in civil causes,"

said, that, in dealing with the question, they ought to adopt some general and comprehensive principle, and not proceed in the partial way they were then doing; and the best system to adopt in our criminal legislation was that which would so conduct the investigation as most certainly to elicit the truth. In recent times the tendency of legislation had been, not only to permit plaintiffs and defendants to give evidence on their own behalf in civil cases, but actually to compel defendants to give evidence against themselves. This remark would also apply to certain offences under the Licensing and other Acts, and to proceedings to be taken under the recently and rapidly-passed Explosives Act; and it was further extended in bankruptcy cases, where bankrupts were compelled to answer questions as to the disposal of their property, whether those questions tended to convict them of a criminal offence or not. As an instance of the impolicy of the rule which enabled parties to avoid asking questions tending to criminate, he might refer to the sale of commissions in the Army. There were questions constantly arising upon the payment of over-regulation prices, and Messrs. Cox, the Army Agents, were examined over and over again, but declined to answer, as they were not bound to criminate themselves. Now, such a system could never have arisen but from the fact that the evidence of what really took place could never be obtained. Thus the House had to regard those illegal sales as an established practice, and the country had to pay accordingly. Another privilege of defendants was, that their husbands or wives, as the case might be, could not give evidence against them during the continuance of the marriage. The Bill had adopted the principle that defendants should be competent to give evidence in trials for indictable offences, if they thought proper. But the Commissioners had not had the courage to follow out the principle to its full logical extent. Undoubtedly, the great majority of the people of this country, and probably of that House, recognized that it would only be just and right to allow prisoners to give evidence. He hoped, therefore, that when the Bill went before the Grand Committee, that Committee would take into its consideration that such was the case. He might quote on that side the opinion of Mr. Russell Gurney, than whom, from the great amount of his experience as a Criminal Judge, there could be no greater authority on the subject, given in speaking on the Bill of 1878, which was introduced by the hon. Gentleman the present Under Secretary of State for the Colonies (Mr. Evelyn Ashley). Mr. Gurney said that the whole object was the ascertainment of the truth, and that the proposals of the Bill took away a great burden from his mind; for he could not bear that any jury should convict a fellow-man until all the evidence that it was possible to obtain had been thoroughly sifted. Mr. Justice Stephen, too, in his book, stated that the power of giving evidence would be a positive assistance to the innocent, and no hardship to the guilty. The old law had been altered in respect of matrimonial offences, and the new law was found to work well. He (Mr. Inderwick) had had especial experience of the working of the system, and never heard any objection raised against it. His hon. Friend who had just sat down had objected to the Amendment on the ground that it was un-English. That might be so, at the present time, in the sense that it was not part of the English law; but it had not always been so. It was formerly the law of this country that accused persons might be examined by the Judge, and the questions put by the presiding Judge to the prisoner were generally found to assist the innocent. It was so in the earliest State trials, in which many instances might be found of questions addressed to prisoners. It was, however, said that an innocent man might, by his nervousness or timidity, give the impression of guilt, and that an ignorant man might, in his ignorance, say something which might incriminate himself. If he thought so, he should not introduce such an Amendment; but, from his own experience, he believed that cross-examination would be in favour of an innocent person, for during its course it would be able to set right any mistake he might have made in his direct examination. After all, the thing to be considered was the best way of arriving at the truth. There was, no doubt, a good deal of cross-swearing in civil actions, the plaintiff stating one thing and the defendant another; but, on the whole, justice was done and the truth ascertained. He would place the defendant in a criminal action, that was, the accused person, in the same position as the defendant in a civil suit, and allow him to tell his own story. The questioning of a prisoner by the Judge, so as to give him an opportunity of making his statement on any point with regard to which explanation was required, was a kind of questioning that would be directly in favour of the prisoner, if he were innocent. To put the prisoner in a criminal suit in precisely the same position as a defendant in a civil suit would, in the first place, have the effect of relieving many innocent persons from grave suspicion. The prisoner would have the benefit of his cross-examination, if he were innocent; and, on the other hand, the country would have the benefit of it, if the result of the examination should terminate in the demonstration of his guilt. His view was that the prisoner should be put on his oath, and examined and cross-examined, when he came up for trial, either before a magistrate or a Judge of Assize. He would place the man in the witness-box, and not in the dock. He desired to draw attention to this circumstance. The Bill, in its present shape, provided that the accused might be a competent witness for himself on his trial. He would not, however, delay that step so long, for, in his opinion, the time when it was most important that a man should be a competent witness on his own behalf was when the charge was first brought against him. He would, therefore, allow a person charged with a criminal offence to give evidence, and make any explanation he might have, at the earliest opportunity—namely, before the magistrates, and before he had time to concoct a story to explain away any suspicions which might attach to him. Thus the prisoner would have a good chance of escaping the imprisonment preliminary to a trial; for if, on inquiry, his statements were found to be true, and he could show his innocence, he would, of course, be set a liberty at once; while, if he were guilty, the power of the prosecuting counsel to question him would often have the effect of preventing him from setting up one of those false *alibis* which were a scandal to the administration of the law at the present day.

MR. STANLEY LEIGHTON, in rising to move, as an Amendment—

> "That no Bill on Criminal Procedure will be satisfactory to this House which does not provide for the return of the verdict by a majority of the jurors; the public interrogation of the accused before committal and before conviction; and the assignment of counsel to prisoners,"

said, he regretted the hon. and learned Gentleman the Attorney General had not thought it worth while to explain what alterations in the present system Her Majesty's Government were prepared to accept; for, in his (Mr. Leighton's) opinion, a subject of this sort ought to be brought to the touch of public opinion, and not kept wholly in the hands of Judges and lawyers. Our laws should be brought into harmony with common sense. English law was founded not in reason, but on precedent. Lawyers were not jurists. Many Judges, like Mr. Justice Lush and Mr. Justice Blackburn, who were on the Commission for the Codification of the Law, had probably never gone into a Criminal Court before they were raised to the Judicial Bench; Few lawyers had ever been present at the proceedings before the committing magistrates; still fewer had ever been inside a gaol; and, consequently, they were unable to realize how helpless the position of a prisoner was before he was brought to trial. Mr. Justice Stephen, whose opinions were in many instances overruled, was the only one of the Commissioners who was a jurist and criminal lawyer. Many of the defects of the present system were stereotyped in the Bill—for instance, no real attempt was made to amalgamate the Scotch and the English Criminal Codes. The subject of bail, again, was one which required attention, as, under the existing law, it was possible for a prosecutor to be imprisoned while a prisoner escaped. It had happened that the captain of a Russian vessel, robbed of his watch the day before his vessel should sail, declined to be bound over to prosecute, and was therefore detained in prison, while the accused was admitted to bail, and absconded; so that when the day for the trial came the prosecutor, who had lost his watch, had been imprisoned a fortnight, and the thief escaped scot free. Injustice was also done by the exclusion of the evidence of those who did not understand or acknowledge the nature of an oath. A minister had been waylaid and robbed by two members of his congregation, and the only witness was a little girl, who, as she was attending a board school, did not understand the nature of an oath. The result was that the case was dismissed for want of evidence. The question of keeping up the distinction between felony and misdemeanour was one which required to be carefully considered. This Bill defined the evidence requisite for a committal as evidence sufficient to put a man upon his trial. Now, clearly this was no definition at all; the true test should be whether, in the opinion of the magistrates, there was evidence sufficient to procure a conviction. Among the omissions from the Bill was the absence of a provision for the summary punishment for false swearing, which would enable that offence to be as promptly dealt with as a contempt of Court, which was the system in Scotland. He now addressed himself to the special points of his Amendment. This country was quite singular in requiring unanimity on the part of a jury. Elsewhere verdicts were taken of 11 to 1, 8 to 7, 8 to 4, 6 to 3, and of a bare majority. Scotland, France, India, our other Crown Colonies — everywhere, in fact, where trial by jury existed—the verdict of the majority was accepted except in England. The unreasonableness of one man on a jury was able to control the reason of 11. Bentham said we obtained unanimity by torture, and a verdict was a compromise. Hallam said the law requiring unanimity was a relic of barbarism; and the verdict of a majority was supported by lawyers of the highest eminence. There was no reason why the practice in English Courts of Justice should be different to that in other Courts of Justice, or to that of public Assemblies, or a Bench of Judges, where all questions were decided by a majority. The Commission appointed by the House in 1835 had reported in favour of a change in this respect; and one, at least, of the learned Judges who had sat on the Commission had also thought it necessary. The present system was founded on a misunderstanding of the origin of English juries, who were witnesses of the facts rather than judges of the evidence in early times. Neither in Anglo-Saxon nor in feudal times was unanimity essential. The system of interrogating prisoners worked well in Scotland; until recently, it had been practised in England also. The fact was that the modern plan of allowing counsel to prisoners had virtually closed their mouths. This privilege was only permitted as late as 1836. When a prisoner was obliged to defend himself, he was virtually bound to answer the evidence brought against him, which was a very different thing from being defended by counsel, with his own mouth conveniently closed. Our present system was very unfavourable to poor, illiterate, and undefended prisoners. He desired, therefore, to permit the interrogation of prisoners, but not without the safeguards provided by the Scotch law. Then, again, the prisoner ought to have a right to see the depositions without paying for them. If the public examination of the prisoner appeared on the depositions, then the Judge at the trial would be able to understand what was the line of his defence, and assist him in it. The law as it stood now was strongly in favour of the rich, the educated, and, it must be added, the guilty; and he cordially shared the opinion of Mr. Justice Stephe that the interrogation of prisoners oug to be permitted, as giving them the o portunity of establishing their innocenc or providing the means of proving the guilt. The last part of the Amendme related to the assignment of couns to the accused in every case, which, contended, ought to be the invariab rule, and should not be done only cases which involved issues of life an death. Precisely the same care to secu a right verdict should be taken in eve case; and if the Government and th country were too stingy to provide f the payment of counsel, counsel shoul be assigned without payment. The ho Gentleman concluded by moving th Amendment of which he had give Notice.

Sir GEORGE CAMPBELL said, would second the Amendment, becaus he thought the hon. Member (M Leighton) had got the right sow by th ear, or, he might say, had got sever right sows by the ear. At the sam time, he hoped the hon. Member woul not press the Amendment too far, because he (Sir George Campbell) ver much hoped that this Bill would b read a second time; and the effect of th Amendment, if carried, would be to d feat the second reading, and thus destro the Bill, the only defect in which wa that it did not go far enough.

The SPEAKER: Does the hon. Member second the Amendment?

Sir GEORGE CAMPBELL, in repl said, that he would second the Amendment as a matter of principle. From th Queen's Speech, they were led to believ that they should have to deal with th codification of the Criminal Law; bu after that, it was altered to a Bill dealing with criminal procedure; and now when it was absolutely introduced, the found it only dealt with a fragment c that procedure as regarded indictabl offences, while there were many thing connected with that subject which wer of the utmost importance, and which did not touch. He might mention, a examples, the constitution of the Courts and of common juries; whether the verdict of the jury was to be unanimous or by a bare majority, or by what majority; how witnesses were to be examined; the subject of oaths, and so on In almost all other countries it was no considered necessary that 12 juror should agree. His hon. and learned Friend (Mr, Inderwick) thought that the defendant ought to be examined, as in civil cases. For his own part, he (Sir George Campbell) would very much prefer a public examination of the accused before committal and before conviction. In regard to the interrogation of the accused, when he was apprehended, and in several other respects, the Criminal Law of Scotland, as was admitted by all who had had any experience of its working, was much superior to the English law; and in England it might be of great advantage to draw instruction and example from the Scotch law. He had spent most of his life in India, under a system in which the interrogation of the accused occupied a most important place, and had acted as an Appellate Criminal Judge. He almost invariably found that, in order to come to an opinion as to the nature of a case, about the first thing that was asked was—what did the accused say? He could testify to the fact that, in the interests of the innocent man, much more than in the interests of the prosecution, it was essential that an opportunity should be given to the accused of stating his case. In former days, while the English criminal procedure prevailed in Calcutta, he, as Judge of the High Court, tried a case of serious robbery of which two persons were accused, one or other of whom was guilty. One happened to be rich, and employed counsel, who defended him ably. The other was undefended, and apparently totally unable to conduct his own defence. To the surprise of the clerk he told the interpreter to ask the man to state what he had got to say, and he burst into so eloquent a defence that he was acquitted and the other was found guilty. Though he should not like to see the accused examined on oath, he certainly thought he ought to be judicially interrogated, so that he could give an explanation of his case; and he hoped that matter would be fully considered in detail when the Bill was sent to the Grand Committee.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "no Bill on Criminal Procedure will be satisfactory to this House which does not provide for the return of the verdict by a majority of the jurors; the public interrogation of the accused before committal and before conviction; and the assignment of counsel to prisoners,"—(*Mr. Stanley Leighton,*)

—instead thereof.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question again proposed, "That the Bill be now read a second time."

Mr. A. ELLIOT said, he thought the Bill under Notice was an important measure which might be considered in two lights; either in the light of a measure to codify the law, or in the light of a measure introducing some proposals not very numerous, but of a very important character. As to the codification part of the Bill, he shared the regret of his hon. Friend (Sir George Campbell) that it did not go further; and he very much regretted the Government had not introduced the very complete measure to which had been devoted an enormous amount of time and trouble on the part of some of the ablest lawyers. It seemed to him a somewhat strange thing that when English lawyers met together to consider criminal procedure, it did not strike them, as it struck everyone acquainted with other systems, that it was the enormous cumbersomeness of the English system that was so trying —the enormous amount of trouble that was taken, and with so very little result. What happened in the case of murder committed in England? Why, first of all, there was an inquiry before a Coroner and 12 jurors, then the case was investigated by a magistrate, afterwards by the Grand Jury, consisting generally of 23 gentlemen, and, finally, by a Judge and jury; so that they had, at least, something like 50 persons altogether inquiring into the one case. In such a case in Scotland the preliminary inquiry would be by the Public Prosecutor, who would go to the scene of the murder, and make his own inquiries and examine witnesses on the spot, and ask questions of the prisoner himself; and after that the case would be ripe and ready for the final tribunal—a Judge and 15 jurymen. The question of the advisability of Coroners' inquiries into such cases had often been considered; and at Liverpool, some years ago, the Solicitor General recommended the total abolition of such inquiries, and he (Mr. Elliot) would even go further and say that the Grand

Juries as a system might be dispensed with. The inconvenience caused to jurymen by attendance at Quarter Sessions, which were held in boroughs every six weeks, was very great. It was, therefore, desirable to consider whether some change in the system requiring their attendance ought not to be effected. He should be sorry to say anything about the Scottish system which would seem to suppose that it could be brought wholesale into England; but with respect to the question of public prosecutions, it should be remembered that had been recommended by some of the greatest of the English Judges; and, in 1874, the Judicature Commission reported in favour of the system which placed every criminal case from the very commencement in the hands of Public Prosecutors. There were many important changes that required making—for instance, with regard to the examination of prisoners, he thought it was desirable not merely that the prisoner should be examined before the trial, but that he should be examined, with proper safeguards, when he was before the Judge. Another desirable change which had not been adverted to in the Bill was the simplification of indictments.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. A. ELLIOT, continuing, said, that another matter that required careful consideration, though of minor importance, was the question of dealing with special juries in criminal cases, as it would be extremely undesirable that there should be the appearance of having class juries. There were certain cases where crimes were committed that required close attention on the part of the juries, the cases, such as frauds, being of a complex and intricate nature. Still, he did not approve of the proposals that were made in the Bill, as he thought it should be provided that only in cases of complexity should special juries be granted. In this matter, also, they might again look across the Border and see what was done there. In Scotland there were no special juries, but they had a mixture of special jurymen on every panel, which insured certain men being upon each jury who were capable of thoroughly understanding the case. Those were all the remarks that he would now trouble the House with upon the Bill; but he must say he was surprised at the little interest that was taken in such an important subject beyond the interest taken in it by legal Gentlemen, especially when it was remembered that it was a Bill that effected important changes, and touched all classes.

Sir R. ASSHETON CROSS said, there were very serious changes contemplated by that Bill in the administration of the Criminal Law—many of them, he thought, very great improvements. For instance, he had always thought that the Statute limiting the jurisdiction of the Quarter Sessions was a very wise measure; but he agreed that the jurisdiction of the Quarter Sessions required alteration, and he had not the smallest doubt that when the Bill came back from the Grand Committee the clauses bearing on this point would be very much improved. It had always seemed to him that the existing law on the subject drew a line which satisfied nobody; because, whilst, on the one hand, Quarter Sessions had some very difficult cases to deal with, on the other hand these powers were circumscribed in much more trivial matters. There was a new provision in the Bill on which he should like to make a remark. It was one which, although it was contained in the Explosive Substances Bill passed the other day, would require consideration—namely, the power to examine into a suspected offence before any person was charged at all. That, he thought, in many cases might be a very proper proceeding to be exercised. At the present moment he had forgotten what the practice in Scotland was in that respect; but his impression was it was the universal practice. He did not agree with a remark recently made by the hon. Member opposite (Sir George Campbell), to the effect that the Criminal Law of Scotland was very much better than that of England; in some respects it was still, if he might say so, in a very barbarous state, especially the long examinations sometimes held in the absence of the accused person. That, in this country, we should not stand at all. He was not quite certain whether, as a matter of justice, it might not be necessary to introduce some safeguards into the preliminary inquiry, in order to protect the interests of those who might be suspected, but who were practically innocent. First, with regard to the provision respecting Special Juries, he would admit that, in some cases, it was necessary to have Special Juries; but, on the whole, this proposal should be watched with the greatest care. No man, simply because he had more money than another, ought to have the right to be tried by a Special Jury; and he should be sorry that the notion should get abroad that such a man could be tried by a different class of people. As to the form of the indictment, nothing could be more absurd than some of the present indictments laid before Courts of Justice; and he was of opinion that the simpler the indictment, the better for all parties, and especially the prisoner, who had a right to know, in as simple and clear a manner as possible, what he was going to be tried for. As far as the evidence of the prisoner was concerned, he was bound to say, after great consideration, that he had last year entirely come round to the feeling that it was wise, under all the circumstances, that the prisoner should be examined if he chose. He was quite aware there was this objection to adopting the practice—that if the prisoner said he would rather not be examined, it would raise a presumption against him; but, on the whole, he thought that no one who had had much experience in criminal trials could fail to be of opinion that it would be for the ends of justice that a prisoner should be allowed, if he chose, to go into the witness box and tell his own story as a matter of course. On the whole, he believed the practice, in so far as innocent prisoners were concerned, would be beneficial. There was one question only that he wanted to ask, and it had reference to criminal appeals. In this Code there was a provision giving to the Secretary of State a right, on an application made to him, practically to exercise the Prerogative of the Crown, and order a new trial. He must say, from his own experience at the Home Office, that he was afraid that it was a growing practice, in connection with criminal trials, to keep back evidence, instead of allowing it to be sifted in Court, with the view of sending it to the Secretary of State afterwards, in the hope that it might have weight with him. That was a very dangerous practice to be allowed to arise, because, unless witnesses were subjected to severe cross-examination in public trials, you really would not know where the truth lay. He hoped the clause would be struck out; and he was glad to see that such a clause did not appear in the Court of Criminal Appeal Bill, which had been introduced the other day by the hon. and learned Attorney General. Such a provision would expose the Secretary of State to a pressure which it would be absolutely impossible for him to resist. The Bill was going before one of the Grand Committees upstairs, and he hoped that after it was there revised and overhauled it might become law in the course of the present Session. It was quite clear that the Bill, as a whole, was a step in the right direction; and he hoped it would be followed up in future Sessions by other steps, so that they would have the great Code brought forward by the late Sir John Holker treated by degrees, and passed, Session by Session, into law. He hoped that a small Act would then be passed to say that the four Acts should all be treated as one, in order that the whole might be embodied in one Statute, which anybody might be able to see, and which, when they saw it, they would be able to understand. They would then have made an enormous stride, which would be of the greatest benefit, not only for criminals, but the cause of justice.

MR. EDWARD CLARKE said, he wished he could feel as sanguine with regard to the future of the Bill and the other parts of the Code of the late Sir John Holker as the right hon. Gentleman who had just spoken (Sir R. Assheton Cross). He wished he could think that the almost absolute indifference with which the House had treated this question of Law Reform was an augury that these measures were likely soon to pass into law. He was afraid it simply meant a resolution of the House to delegate to the Grand Committee the consideration of all questions, not only of detail but of principle, connected with the Bill. The way in which the House had dealt with the question of Law Reform was a little disheartening. In the case of the Criminal Court of Appeal Bill, Members of the Legal Profession only took part in the debate, and they were rewarded by hearing a Member say that no one but lawyers had been allowed to speak. On the present occasion, the lawyers seemed to have taken the hint; and he supposed they would be told that nobody, not even the lawyers, took any interest in Criminal Law Reform. He hoped the Bill would be passed into law that Session; but, at the same time, there were two or three matters in it deserving of serious consideration. The clause, providing for a magisterial inquiry into crime before any person was accused, was a clause of a remarkable and valuable character; but it was a curious thing it should be allowed to pass through the House on second reading practically without any discussion at all. He agreed with his right hon. Friend that the clause with respect to the powers of the Secretary of State to order a new trial should be expunged altogether, on the ground that the Secretary of State ought not to be constituted a judicial officer. If, however, it was allowed to stand, he would much rather see the power of ordering a new trial vested in the Attorney General than in the Secretary of State. He should not have risen, however, had he not been anxious to state the satisfaction with which he had listened to the practically unanimous opinion of the House that a prisoner in a Criminal Court should be examined. With one exception, all the speeches made in the present debate had been in favour of the examination of the prisoner; and now that the principle had been supported by the two Front Benches there was every hope that this clause would be passed into law. He believed there was no matter in which the public took more interest than that; and it seemed to him that it was the grossest wrong to an innocent man, charged with a crime, to treat him in the manner in which he was treated in this country, by preventing him from giving the evidence which might bring about his acquittal. Now, when an offence was committed, the ministers of justice looked about for the person who probably committed it; they arrested someone upon whom suspicion rested by reason of his profiting by the crime, or having been in the neighbourhood when it was committed; and the moment he was arrested his mouth was practically closed, and he was not allowed to give the evidence which might clear himself from the charge, and help to bring it home to the guilty person. He had, in the course of his experience, seen numerous hard cases of this sort. He hoped that tha was the last time on which that subjec might be dealt with controversially; and if for that reason only, he trusted tha the present Bill might be added to the Statute Book.

Mr. GIBSON said, it was quite plai that, although the Bill had received th sanction of the Criminal Code authorities it would require considerable attentio on the part of the Standing Committee. Before the Bill was read a secon time, he should like the hon. and learne Attorney General to give his views o Part VIII., which dealt with appeals It contained an entirely independen Code, and was wholly inconsistent wit the Bill relating to Criminal Appeals He should like his hon. and learne Friend the Attorney General to stat whether it was the intention of the Government to drop all the clauses in tha part, and satisfy themselves in tha respect with the Bill now before th Committee upstairs. Otherwise, h thought the position they took up i the matter was somewhat inconsistent He wished also to ask him to clear u any misunderstanding or uncertaint that might exist in the minds of hon Members as to what were the intention of the Government in regard to Claus 122, which gave power to the Secretar of State to order a new trial. Wit regard to it, he must say that he agree with his right hon. Friend (Sir R Assheton Cross) in hoping that that section would be abandoned. The Bill, however, contained some very importan proposals; and he felt bound to congratulate the Government on presenting an intelligible series of provisions regulating the appointment of special jurie in criminal cases and a change of venue He could not conclude without saying word on the point of receiving the evidence of the accused. He had been fo a long time in favour of that reform, and he believed that public opinion wa quite ripe for the change, and that i would be productive of great advantage He was glad to find that the Bill ha not encountered any substantial hostil criticism, and he trusted that it migh be tested upstairs, and passed into la before the end of the present Session.

The ATTORNEY GENERAL (Si Henry James) said, the question ha been asked by his hon. and learne Friend the Member for Rye (Mr. Inderwick) why the Government had not introduced the Code as a whole? In answer to the question, he (the Attorney General) must say that his view was that it would be useless to do so, with any hopes of passing it through in one Session, or, indeed, to pass it through the Standing Committee. It contained something like 550 clauses, dealing with a vast number of subjects of the greatest importance, in which deep interest was taken, and on which much debate was to be expected. On the other hand, he had found that there was a general consent to the introduction of the Code in parts. That being granted, he thought it much better to take the procedure part first, for it stood more apart from the other sections of the Code than any other one section, and that was the reason why the present Bill was brought forward. His right hon. and learned Friend the Member for the University of Dublin (Mr. Gibson) had referred to the work which would have to be done by the Committee upstairs. There was, no doubt, much to be done; but the amount of work which would have to be done in dealing with the whole Code was much greater than any hon. Member was aware of. He wished to draw attention to several matters which had been referred to. He found that from the Press and other quarters he was receiving nothing but condemnation for his arrogance in proposing to make any alterations in the proposals of the Commission. He therefore thought it best to lay before the House the work of the Judges, endorsed as that work was by his late lamented Friend Sir John Holker. But he felt sure that the Grand Committee would have to spend great labour in bringing the Bill into its final form. He adhered, as loyally as he could, to the form of the Bill as it left the Commission, especially as it was a legacy from the late Government. He hoped, considering the spirit in which he felt sure the Committee would approach the consideration of the Bill, that a great advance would speedily be made in the way of codification. When, however, the details were considered, it would, no doubt, be found necessary to make many alterations; but, great as was the labour he saw before them, he did not think there was any reason for despairing that they would be able to pass it into law. With respect to the observations of the right hon. Member for South-West Lancashire (Sir R. Assheton Cross) and the right hon. and learned Member for Dublin University (Mr. Gibson) with regard to the Court of Criminal Appeal Bill, he would observe that he had always hoped that the provisions of that Bill might form part of a Criminal Code. But he had found it impracticable to incorporate it in the Bill for the establishment of that Code; and therefore it was that he thought he would have been blameable if he had not put to the House itself the Court of Criminal Appeal Bill. It established a principle—that of an appeal of right—upon which the House was entitled to express an opinion. That was why the two Bills had been brought forward. But he hopped it would be possible to deal with both Bills together in Committee; and when the latter Bill had been settled in Committee, he should propose, if it were practicable, to incorporate it with the Bill under discussion. If, however, for any reason that were not possible, he should, of course, reserve the right to deal with the Appeal Bill separately, and not incorporate it in the Code Bill. To the suggestion that the question whether an appeal should be allowed should be left to the Secretary of State and the officials at the Home Office, he thought there were many objections. It might be said that the discretion would be exercised for political purposes; then, again, the duties of the Home Office were already so heavy that it was most undesirable to lay such a burden upon it. His hon. and learned Friend the Member for Beaumaris (Mr. Morgan Lloyd) objected to the accused being asked to give evidence. But that question was virtually settled by the almost unanimous opinion which had been expressed in favour of the principle. It was a more difficult matter to decide whether the evidence of the accused should be received at the magistrate's inquiry, or at a later stage of the proceedings. That, however, was a matter for the Committee. In Scotland, the examination took place at the preliminary investigation. But it should not be forgotten that there the magistrates were all trained lawyers. In this country, before unpaid lay magistrates, the greater part of whom were with little, if any, knowledge of the rules of evidence, considerable danger might attend the practice. He did not think the suggestion of the hon. Member for North Shropshire (Mr. Leighton) to incorporate English and Scotch law in one Code was feasible, as they were two entirely different systems of law; and such an operation could not be carried out until they were somewhat more assimilated than was the case at present. As to the question whether the verdict of the jury should be unanimous or by a majority, he was inclined to think that the time had not yet come for departing from the principle of a unanimous verdict. The feeling of this country still seemed to be in favour of requiring the unanimity of a jury for the conviction of a prisoner, though much might be said in favour of the verdict of the majority. With Judges of such high character as we possessed, and with the tendency to show the utmost fairness to the accused shown by the almost invariable assignment of counsel, no fear need be entertained of the working of the Bill, which, he hoped, would be moulded into an effectual and intelligible measure by the labours of the Committee.

Mr. O'DONNELL contended that the effect of referring this and other Bills to Grand Committees was to prevent anything like full discussion on the second reading. The House was not even to be provided with an adequate view of the Government policy, because it appeared that the Ministry would only bind themselves to what was accepted by the majority of a Grand Committee. Even the rooms in which the Grand Committees met provided for the exclusion of the majority of the House, for not more than 20 Gentlemen who were not Members of the Committees could find accommodation in them. These facts presented a state of affairs both unfair to the House and dangerous to the interests of the country. It was understood, on the adoption of the Grand Committee system, that the House would be favoured with a full exposition of the policy of the Government in reference to a Bill that was to be so referred; and this Bill was not second in importance to any that was to be so dealt with. Of course, the House would have to discuss afterwards many points that would be supposed to be settled in a small room from which the majority were excluded. Standing as he was on the banks of the Thames, where so many undiscovered crimes remained unavenged, he was no likely to place any obstacle in the way o perfecting the instruments of justice but he considered that many of the changes made by the Bill demanded the attention of every lover of fair play anc liberty. He was in favour of an improved system of discovering and punishing real crime; but that was a different thing from investing officials with such powers of inquisition and torture as might, under the Bill, be inflicted upon a witness suspected by a magisterial official. The Bill included some of the most dangerous provisions passed for a limited period in exceptional circumstances in a Coercion Bill for Ireland. Before such formidable possibilities of grinding tyranny and oppression to be exercised by irresponsible officials upon the humblest and most defenceless class of the community became law, they demanded the most careful scrutiny, for a self-governing country like Great Britain, and still more for Ireland, where public opinion was powerless to restrain excess of authority, and appeal to England was of little avail. With the wholesale powers of arrest given by the Bill, the entire area of a country might be enmeshed within the hasty suspicions of a magistrate or of a police official; and if such a system were aided by the stimulus of police rewards, and the manufactured evidence of informers, there was the most formidable prospect of the worst kind of tyranny. The proposal to allow accused persons to give evidence might be a very wise innovation, and one that might be permitted as far as their own cases were concerned; but when so novel a principle was introduced as the power of undefined and irresponsible inquisition, none, however unacquainted with the working of the system in foreign countries, could fail to perceive the dangers that might arise from it. In France at this moment there was a general outcry against the laxity of juries, and their tendency either to acquit or to find extenuating circumstances—a tendency produced mainly by the feeling in the French mind against the inquisitorial processes which were virtually now to be introduced into England. He trusted that English law would not be deprived of any of its proverbial fair play; but the Bill seemed likely to destroy the ancient spirit of justice that had flourished for 40 generations hitherto, for the sake of imitating the despotic Continental system; and how would the Bill work in Ireland, where the people had already no confidence in the just administration of the law? Given an unscrupulous Public Prosecutor, policemen eager for rewards, a packed jury, and an Attorney General recently promoted to the Bench, all the materials were present for a judicial murder which must inevitably enlist the whole moral consciousness of the country against the administration of the law. Surely it would be better to let 99 guilty persons escape, than to convict one really innocent person in cases where the evidence was not clear and conclusive. He did not wish to deal with current events; but, at the time of the Fenian trials in 1867, the accused Fenians, who, except that they took illegal measures to overthrow the Government of England, were men in every respect of the utmost morality, honour, and probity, men of character as unstained as those of the knights of romance, stigmatized the evidence of the Crown witnesses as horrible and unscrupulous perjury. Witnesses might come in the night and whisper in the ear of the Inspector of police their suspicions against Irish politicians, whose honourable opposition to the Government had singled them out for official hostility. Under the Bill, the Inspector might set on foot inquisitorial proceedings, and might cause not only the accused man to be arrested, but others also; and when they declared they had no evidence to give, might sentence them to week after week and month after month of imprisonment, till the dark cell, as real and as cruel as any mediæval torture, enfeebled the power, the will, and the constitution of the victims, and forced from them the very evidence which the prosecutors wished, whether it were true or false. The course taken by the Government in respect to this Bill, in excluding it from the general consideration of the House and referring it to a Grand Committee was such as to render it necessary for a combination of Members to be formed to consider the Bill carefully on those points which were dangerous to public and private liberty, and those points would be so considered *seriatim* at another stage. That consideration of the Law Officers of the Crown, in his opinion, had failed to bestow upon it. Under the Bill the system of judicial procedure would be assimilated to that of the most despotic countries; and the House ought to have heard from Her Majesty's Government some statement with regard to safeguards to be provided against such an infringement of the liberty of the subject. He therefore protested against a measure of the kind becoming the law of the land.

Mr. HINDE PALMER said, that, in his opinion, the hon. Member for Dungarvan (Mr. O'Donnell) had strangely misrepresented the provisions of the Bill, and conjured up imaginary evils which were likely to result from its enactment, but which had no foundation in fact. For instance, he (Mr. Hinde Palmer) could not find, from one end of the Bill to the other, anything which resembled the examination of a prisoner by a *Juge d'Instruction* in France. He would have opposed the Bill as strenuously as the hon. Member for Dungarvan was inclined to do, if he thought that any of the evils alluded to were likely to arise under it. On the contrary, however, he found in it provisions as favourable to persons charged with criminal offences as it was possible to devise. With regard to the power of examining a prisoner, it must be remembered that this was optional; and considering the high authority, such as that of Sir James Stephen and others, which supported the proposal, he could not anticipate any evil results. On the contrary, he believed that the provision which allowed an accused person to be examined, if he so desired, would be as much to the advantage of the accused as to the benefit of the prosecution. Again, he did not think it possible for the House to consider the details of such a Bill as the present with any good result. Indeed, he had always regarded the House as a very inefficient instrument for criticism of that character, and he believed its reference to the Grand Committee would have a good result. It would, in his opinion, tend to make it a perfect and complete measure; and when the Bill came down from that Committee, should it be found to contain any vital and fundamental principles which offended against public or private liberty, or that it tended in any degree to interfere with the fair trial of a prisoner, it could be reconsidered on

Report, and Amendments introduced. He hoped, therefore, that the second reading of the Bill would receive the support of the House, and that it would be sent to the Grand Committee. He considered the Bill a most earnest attempt on the part of the Government to consolidate and amend a portion of the Criminal Law, and he should vote in support of the second reading.

Mr. MAYNE said, he could not help giving expression to the greatest feeling of surprise he had experienced, during the short time he had been in that House, at its emptiness, when a Bill so important both to Irish and English Members was under consideration. It was a measure which dealt with the liberties of the people in a fashion they had not been dealt with for centuries; and it was no use for hon. Members to shirk the responsibility of dealing with its obnoxious principles by referring it to a Grand Committee, on which a large number of them had no seat. A questionable portion of the measure was that which made persons not accused of anything more serious than of being possible witnesses, liable to be committed to prison from week to week without, as it seemed, any limit whatever. Another innovation was that against which the Amendment he had placed upon the Paper was directed—namely, the system of packing of juries. His experience of judicial proceedings in Ireland had led him to propose that Amendment, for he had seen respectable jurors ordered to stand aside by a minor Government official in a very inconsiderate manner. That course of proceeding had given very grave dissatisfaction in Ireland, and particularly in Dublin, especially as it was done on no other ground, apparently, than that of religious belief. It was only recently that the system had become objectionable; because it was unnecessary, so long as jury packing was possible under the law existing up to 1871. Up to that time jury packing had been elevated almost to the dignity of a science; it had, indeed, come to such a state that the Government of the country could not fail to see that the confidence of the public in Ireland was completely alienated. Consequently, in 1871, Lord O'Hagan introduced a Bill on the subject, and, in doing so, said—

> "On one of those unfortunate party trials which occasionally occurred in Ireland, there was a challenge to the array, which succeeded, on the ground that the first 70 named on the panel were Protestants, and that, while the panel consisted of 250 names, 202 were Protestants, and only 48 Roman Catholics."

He also said that—

> "Such a state of things was monstrous and inconsistent with decent administration of justice."

And added that—

> "If the objects of the Bill introduced were gained, he was persuaded that the Government would thereby inspire the people of Ireland with a confidence in the administration of justice in that country."—(3 *Hansard*, [206] 1033-4.)

The Bill, which he might remind the House was supported or introduced by almost the same Government as was now in Office, was passed, and it did inspire the people with confidence in the administration of justice. Jury packing was stopped for a time; but they now had evidence that it might be brought about and practised in other ways than that which was stopped by the Bill of Lord O'Hagan. Recently, owing to a difficulty in criminal cases, a new system of tactics had been adopted. The difficulty was, not to get juries ready to convict, but to procure evidence of a sufficiently satisfactory character to satisfy a conscientious jury. And the difficulty had been overcome in some cases, apparently, by such a systen of selection as succeeded in placing 12 men in the jury box that were supposed, in the matter of evidence, to be easily satisfied. It was a mere restoration of the old system of jury manipulation; a system which ordered a respectable gentleman like Mr. Leetch to stand aside—a gentleman whom the Government made a magistrate, while their minor official ordered him, as a juror, to stand aside in Green Street. It would have been better to have abolished trial by jury altogether in political cases; better, as the hon. Member for Dungarvan (Mr. O'Donnell) had said, to let 99 guilty escape than to convict an innocent person in cases where the evidence was not clear. In seven cases recently tried in Dublin, 56 jurors were necessary; and, of these 56, 47 were Protestants, and only nine Roman Catholics. The first jury was composed of Protestants entirely; the second, of 11 Protestants and one Jew; the third, fourth, and fifth, of all Protestants, and so on. The result was a state of things almost worse than that condemned by Lord O'Hagan; there had been an outcry from all classes of society, especially in Dublin, against it, and at no time had public confidence in the carrying on of judicial proceedings at Green Street been so estranged and alienated as at the present. They might well omit from the Bill a power which had been so greatly abused, and it would still have the purpose and effect intended. There was a provision in the Bill by which these juries were to be drawn by ballot; and it was clear that the arrangement by which jurors were to be drawn out of a box, having their names written on a piece of card-board, was made in order that a jury might be obtained in that way who would be perfectly indifferent between the prosecutor and the accused. But that power of balloting would be neutralized if the power of selecting after the ballot was retained in the Bill. If he were in Order, he desired to move, by way of Amendment—

"That it is inexpedient to include in any measure for the reform of criminal procedure any provision enabling a prosecutor in a criminal case to order a Juror brought to the Book to stand aside."

MR. SPEAKER: I must inform the hon. Member for Tipperary that he cannot move his Amendment, the House having already negatived the Amendment of the hon. Member for North Shropshire (Mr. Leighton). Therefore the only Question before the House is the Motion that the Bill be now read a second time.

MR. O'BRIEN said, that, in his opinion, it would be the duty of every Irish Member, at every stage in the Bill, to register his protest against a Bill which they regarded as being simply a Coercion Bill under a dishonest disguise, and, moreover, a Coercion Bill in perpetuity. He could see nothing in the Bill in the direction of Legal Reform, nothing that anybody would think worth doing, except, perhaps, the Proviso for admitting a prisoner to speak for himself. It proposed to invest every police magistrate with powers that in old times would not have been intrusted to a King. He might summon any man whom a malicious constable might choose to suspect that evidence could be squeezed out—summon him without any information in writing or upon oath, and he might have a witness locked up in prison, if he was considered unlikely to turn up to give evidence, and he could find no provision for allowing legal assistance to a witness arrested and crosshackled in that way, though the object of his examination was to inveigle him into statements upon which a charge affecting, perhaps, his life, might afterwards be founded, and he might be locked up until "he did what he was required to do." What was there in the secrecy of the Star Chamber more odious than that? Such things might appear convenient and acceptable just now, because they would be used only against Ireland and Irishmen in England.

THE ATTORNEY GENERAL (Sir HENRY JAMES) interposing, said, he was sure the hon. Member did not wish to misrepresent the law; but he must remind him that the clause referring to the detention of a witness provided for the remand of a prisoner in the particular case of refusal to produce certain documents.

MR. O'BRIEN said, the clause was entitled, "Witness refusing to be examined," and that was the penalty therein prescribed for non-compliance. As long as inquiries such as they had had in Dublin Castle continued to produce informers and victims, at a time when the public temper was whetted for such things, he supposed there was not much use in asking whether the end justified the means. If the Bill succeeded in putting obnoxious Irishmen within the grasp of the law by fair means or by foul, if it patched up against them anything like a decent presumption, few people would look into the machinery by which the Act was worked. But it was this very state of the public mind—this eagerness to break down conspiracy by hook or crook—which made this the most inopportune of all moments to introduce into the law of England changes of the most violent and revolutionary character. But the proceedings before a justice were only the preliminaries to the work of breaking down, destroying, and infringing a man's right of trial before his peers. There was scarcely a clause in the Bill, from the 1st to the 5th, that did not strike at one or other of the rights of the people. It was a matter of remote interest to Englishmen whether an Attorney General should, or should not, have a right of instituting a prosecution at Bar before the Court of

Queen's Bench, or whether a person committed for trial in some distant part of England should be brought up here to be tried. But, as far as Ireland was concerned, the Bill meant that any man who was formidable to the Government was first to be bullied and threatened at one of those secret inquiries before an under servant of the Crown, and then be sent for trial before one of the tribunals which the Crown could always pack to carry out its wishes. The Court of Queen's Bench in Ireland was always kept packed with the promoted prosecutors and political allies of the Government; and a Dublin Special Jury of landlords and Castle tradesmen would be more or less than human if they were not obsequious servants of the Crown. Perhaps the very worst clause in the Bill was the 72nd, which provided that, if several persons combined with a common intention to prosecute any unlawful purpose, and to assist each other therein, each of them should be held to be a party in the prosecution of such common purpose to any offence, the commission of which was or ought to have been known as a probable consequence of such combination. The Crown thought the purpose of the Land League was unlawful; and, in 1880, prosecuted the hon. Member for the City of Cork (Mr. Parnell) for conspiracy on account of his connection with it, although, 18 months afterwards, a responsible Minister of the Crown declared that the Land League was a most useful and lawful organization. The jury disagreed with the Crown on that occasion; but, struck as juries would be in Ireland under this Bill and under the Crimes Act, what course could an Irish Nationalist pursue which they would not declare unlawful at the dictation of the Crown. If the Bill passed, it seemed to him that every public man in Ireland had only the choice of withdrawing altogether from public life, or doing what possibly some hot-headed persons might do, taking refuge in the safer secret organizations. Again, some furtive little words in another clause proposed to embody, for the first time in a British Statute, the monstrous Judge-made doctrine laid down in the case of "The Queen *v.* Duffy," that, no matter how scandalous the conduct of a servant of the Crown, if he gave the criticism of his conduct the nickname of "seditious libel," the man who commented on it was preclude from proving the truth of the libe though he would be perfectly free to d so in the case of any individual wh was not salaried by the Crown. Ther was one class of Nationalists who hel that such Bills as this were of the grea est service to the Irish cause, becaus they increased the determination of th people to make England let go her gri But, however that might be, the Iris people were not likely to be particularl terrified, whether schemes of coercio were laid for three years or 300. English rule in Ireland had been one unbroken Coercion Act. ["Hear, hear!" He hoped hon. Gentlemen thought th results satisfactory. What he wante the House to understand was that, i passing this Bill, they laid down th principle, and avowed it to the world that as long as England ruled Ireland she would rule it by a power more detested than the sword, by the official' secret and malicious whisper, and b the swearer's oath. They would als imprint in the Statute Book principle of law that were new to it, and which they would rather cut off their righ hand than pass, if they thought the would be used against Englishmen, as, perhaps, they were willing enough tha they should be used against Irishmen.

Mr. M'COAN said, that he had no heard the whole of the speech of the hon. Member who had just spoken (Mr. O'Brien); but from what he had heard he thought a good deal of it was irrelevant. The hon. Member apparently had forgotten the fact that the Bill had for its object, not so much the making of new law, as the codification and simplification of the existing law. Besides, he seemed also to forget that this was a Bill for the United Kingdom; and therefore English and Scotch Members would have as good reason to take exception, if there was anything objectionable in it, as Irish Members. The hon. Member discovered a new grievance in Clause 72; but if he would read it, he would find there was nothing new in it, and that it was simply a reproduction of the present Law of Conspiracy, for if persons combined for a common purpose and committed an illegal offence, each of them was guilty of the offence committed by the other. Similarly, Clause 78 only reproduced the old existing law, as stated in the case of "The Queen *v.* Duffy." The only thing that appeared to be new in the Bill was that part proposing to give a prisoner the opportunity of stating his own case, and the greatest of the authorities were in favour of such a proposal as that; and, for his own part, he (Mr. M'Coan) considered it an improvement.

Mr. T. D. SULLIVAN said, that the hon. Member who had just sat down (Mr. M'Coan), in reading Clause 78—the Conspiracy Clause—had made a deliberate and a most significant omission. He referred, indeed, to that part of it which said that, if several persons combined with common intention to prosecute any unlawful purpose, and assist each other therein, each of them was a party to any offence committed in the prosecution of such unlawful purpose. But the hon. Member omitted that part of the clause which said—

> "The commission of which offence was, or ought to have been known, as a probable consequence of such combination."

That was something new in the law of England and Ireland, because a person under the clause might be innocent of a criminal intention; but, unless he was a prophet, and gifted with Divine inspiration, he might find himself within its provisions. Was it honest, then—was it fair—that the hon. Member should have suppressed that portion of the clause?

Mr. M'COAN: That is a charge of bad faith. I did not read the last part of the clause, because it is sufficiently plain that it is not new law. It is simply the re-enactment of that already in existence. It assumes that a man is——

Mr. T. D. SULLIVAN: A prophet. A man would, no doubt, be aware of the probable consequences of his act if he fired a shot at a man; but here the proposal was to fix him with liability for the language and acts of other people. He wondered that Englishmen should, even in the time of panic, pass such legislation; but, in their hope of crushing out Irish nationality, they were ready to destroy public liberty and public right. But the fact was that England would not be able to keep Ireland in slavery without suffering for it terribly herself. He looked upon the Bill as another illustration of the decadence in England of that love of public freedom which had been for so long the boast and glory of the country.

Mr. BRYCE said, that, in his opinion, those who had looked so long for Law Reform might congratulate themselves on seeing the great work of codification at last taken in hand. He hoped that, by the end of the Session, the Bill would become law, and that the Government would to able to have the satisfaction of seeing the first step in so great a task completed. He wished to remind the House of the debt which was owed in this matter to the Attorney General of the late Government. If there was one man more than another who cared about improving the law of this country, making it just, intelligible, and accessible, it was the late Lord Justice Holker, of whom, having had the privilege of a long and intimate friendship, he might truly say that his great legal acumen was not more remarkable than his ardent love of justice. There were two points to which he (Mr. Bryce) wished to draw the attention of the House. The first related to the scope of the Bill. It dealt with indictable offences only. He would suggest that it be extended to offences dealt with summarily, in order that the procedure in both cases might be identical. Otherwise great perplexity would ensue, for if the Bill passed as it stood, Quarter Sessions would be acting sometimes under the new law, and sometimes under the old law. The other point was as to the examination of the prisoner; and, as regarded it, he thought it would be desirable that an examination of accused persons should take place before they were committed for trial. Where, as in Scotland, an opportunity was in this way always afforded to a prisoner to clear himself of the charge against him if he could, the prosecution of an innocent man would be often avoided. He also thought it would be an advantage, if the prisoner could be called as a witness by the prosecution, instead of being only examined for the defence, a provision being, of course, inserted that he was entitled not to answer questions put by the prosecutor unless he liked. The process of a preliminary examination of a prisoner before the Sheriff had never been abused in Scotland; and he thought it would be a desirable feature to import into the English procedure, because it was not only a valuable means for the discovery of guilt, but also one by which an innocent man might free himself of a charge. At all events, that part of the Scotch procedure well deserved the consideration of the House. The proposal as to this examination ought to be considered in the light of the experience of Scotland rather than in that of France, where it was well known that the power of repeatedly and severely cross-examining the accused permitted to the *Juge d'Instruction* was sometimes abused.

Mr. GORST said, he thought it was hard that the hon. and learned Gentleman the Attorney General should bear the brunt of the accusation, made from a certain quarter of the House, that the Bill was conceived in such a spirit as if it were some deep-laid plot on the part of the Government to undermine the liberties of the Irish or the English people. As a matter of fact, it was originally drawn in 1878, long before the recent arrests which had taken place in Ireland had caused the present state of feeling there. It was then, in 1879, considered by a Commission of Judges, and substantially the present measure was settled by that Committee. He (Mr. Gorst) had enjoyed the friendship and confidence of the late Lord Justice Holker, than whom no man could be more jealous to preserve the liberties of all his fellow-subjects, and more anxious to prevent injustice being inflicted upon any human being. He did not deny that some of the clauses were open to criticism, and he should give his best efforts in Committee to amend them. He would further say that, if there were any elements which required amendment on account of their possibly working injustice to either Englishmen or Irishmen, they were present through inadvertence and not of design, and he was sure the Committee would do their best to eliminate them from the Bill. For his own part, he shared the view already expressed by several hon. Members that it was the amendment of procedure anterior to the trial which was especially required, and in that respect the Criminal Law of England was inferior to the law of all other European countries. With respect to it, he agreed with the hon. Member for the Tower Hamlets (Mr. Bryce) that we might with advantage borrow from the Scotch criminal system. He did not, however, agree altogether with the hon. Member's remarks about French procedure. The preliminary investigation anterior to the trial was, in France, conducted with fairness and consideration to the prisoner. It was only in the proceedings at the trial that the French system was open to the animadversions which had been passed o it. He thought the method employe in Germany for the investigation c criminal offences would avoid all th errors of the Scotch and French system and be more in accordance with Englis notions of justice to the accused. I Germany, at the preliminary examination, which was undertaken by a Judge for the purpose of investigating the trut of the case, the accused was invited t make any defence or explanation whic he might desire to submit; and it wa the duty of the Judge not only to cal for evidence for the prosecution, but als to summon before him and examin every witness who, in his opinion, woul prove the innocence of the prisoner Those points, he thought, we migh with advantage imitate. He truste that the Representatives of Irish constituencies would believe that there wa no desire in the framers or supporters o the Bill to interfere in any way wit their rights and liberties.

Dr. COMMINS said, he fully agree in the concluding observation of th hon. and learned Gentleman who ha just sat down (Mr. Gorst), that ther was no deep-laid plot against eithe English or Irish liberties in the Bill although he could not see in it an objec at all worthy of the admiration whic the hon. and learned Member, as one o its authors, naturally entertained toward it. He could not help entertaining th thought that it hardly realized the dee and earnest expectations which had bee so prominently entertained of it, mor especially when consideration was give to the high authorities on the Commission to which it was referred, for car had not been taken to get rid of error of procedure that often led to grea injustice. For instance, prisoners wer not protected against examination b policemen, whose eagerness to obtai admissions of guilt was in proportion t the weakness of a case; and nothing was done to mitigate the harshness with which untried prisoners were treated. They were treated as guilty before they were tried; and it would be necessary to introduce something into the Bill t remedy the unjust state of things which now existed in that respect. Then, again, juries were paid for trying trivial cases in Civil Courts; but no compensation was given to jurors who tried criminal cases. Further than that, as to the trial itself, very glaring errors remained; and he had looked in vain throughout the Bill in order to find out whether there was any adequate provision made for recording criminal trials, so as to facilitate any proceedings that might be desired to be taken on appeal. In the French and Scotch procedure every word was recorded, and could be referred to whenever it was necessary. In the present Bill, it was true, there was to be a "Crown Book," in which the substance of the proceedings was to be entered; but, for all practical purposes, there might as well be no record at all. Again, a man might be put on his trial and punished, and then it might be discovered that he had been the victim of a conspiracy or a mistake; and yet, for all the sufferings which might be inflicted on a man, he was not entitled to one farthing damages. Take the case of Edmund Galley, or of Habron, who were condemned to death, and, after the commutation of the sentence, had to undergo penal servitude. Surely that might now be amended, and some provision made whereby a solatium might be given in such cases. The Proviso that prisoners should be allowed to make a statement in their own defence would expose them to a vindictive cross-examination, and might prove a very doubtful boon, for nothing would prevent a police officer in secret subjecting an untried person to an examination, which would vary according to the character of the officer. There was one thing about the Bill that he did not like—namely, that there seemed to run through it a kind of inquisitorial spirit, bringing into the English law, for the first time, the principles of the Inquisition—a determination, *per fas et nefas*, to obtain a verdict. There seemed a straining to get rid of those forms of the law which were the greatest bulwarks of innocence against malicious and unfounded prosecutions, and to get rid of them in those cases where the preservation of the forms might be serviceable to the accused person. The unlimited discretion proposed to be given to the Attorney General to change the venue he also thought would sometimes be cruel and oppressive in its operation.

MR. SPEAKER said, he must point out to the hon. Member that his observations would be more appropriate to the Committee stage of the Bill than to that of the second reading.

DR. COMMINS, while bowing to the correction of the Chair, said, that he took the course he had for the purpose of showing that the measure was an ill-drawn one, which would by no means improve our present Criminal Law. If it passed into law as it was, untried prisoners would be subjected to the most disgraceful and scandalous treatment.

MR. PUGH said, he hailed the Bill as one that would bring about a great improvement in the existing law. He had no doubt that it would be regarded as a great boon in the country; but he thought that the distinction should be clearly drawn and maintained between the magistrate and the policeman, and that the duties of the former should not be made more difficult by requiring them to conduct preliminary inquiries into supposed offences before any complaint had been laid before them. In that view of the case, he maintained that the preliminary inquiry provided by Clause 12 was essentially a police duty. If they threw upon the magistrate the duty of getting up the case, it would be impossible that the same magistrate could form an unbiassed opinion upon the evidence. In the Indian Criminal Procedure Code of last year the duty of carrying on similar police duties had been thrown upon the magistrate; but the performance of such work by the Judge who afterwards had to try the case caused much dissatisfaction amongst the people, and had been very justly denounced from the Bench. This, however, was a matter which the Grand Committee would be able to deal with; and he had no doubt they would give to this and other points all the attention required to make the measure a very valuable one.

MR. BROADHURST said, he very much feared that Clause 72 of the Bill might be applied to trades unions; and, if so, it would go a long way towards depriving them of the Charter of their liberties and rights, which they had obtained within recent years. He referred especially to sub-section (C) of Clause 72; but, indeed, the whole of that clause was a matter for grave consideration; and he certainly should not feel inclined to support the Bill with that clause in it, unless he had some distinct undertaking from those who were in charge of the measure that the clause would be materially amended before the Bill was ultimately passed. What he had risen specially to say was that, when a similar Code was proposed some years back by the late Government, similar objections were taken to parts of that Code; and he remembered bringing the subject, by means of a strong deputation, under the notice of the Government. It was suggested, at that time, that the Labour Laws—the Trades Unions Act of 1871; the Labour Laws of 1875, and the amended Trades Unions Act of 1876—might very well remain a Code of themselves, for the regulation of labour disputes and difficulties, and that in any subsequent Criminal Code that might be passed care should be taken to safeguard the liberties of trades unions, by expressly setting forth that no other law would be made to apply to matters of trades' dispute. He hoped the hon. and learned Gentleman the Attorney General would be good enough to bear in mind these few observations, and that he would be able, before the close of the debate, to give a promise that the laws which were passed at the dates he (Mr. Broadhurst) had referred to, and which were the result of nearly half-a-century of agitation, would be protected under the present Bill, and that care would be taken that the measure should in no way whatever interfere with the laws to which he had referred. On that condition only could he for a moment consent to the second reading of the Bill.

Mr. DALY said, the hon. Member for Stoke (Mr. Broadhurst) was anxious to protect the trades unions from the imposition of new legislation. He (Mr. Daly) wished to draw attention to several other clauses of the Bill, and especially to Clause 12, which he was glad to see had been the subject of comment by the hon. and learned Member for Cardiganshire (Mr. Pugh), who preceded the hon. Member for Stoke. That clause recited these words—"Every Justice who has reason to believe." Now, in the first place, the word "Justice" was defined in the Interpretation Clause to mean every kind of Justice, and the Justices of Ireland were essentially different from Justices in England, because Justices in England lived in harmony with the classes below them, while a Justice in Ireland was in direct antagonism with the classes belo him. The section stated—"Every Ju tice who has reason to believe." Nov what Justice in Ireland could have reaso to believe of himself? He had no cognizance of what was going on aroun him, and his information was alway supplied to him by a policeman. It wa impossible for any hon. Member who ha not resided in Ireland to realize the hardships, oppression, and affliction which th Irish people had to suffer at the hands o the policeman. Only the other day, i the City of Cork, a respectable tradesman, who might even call himself a merchant, and who was in the habit of exporting to different parts of the Unite Kingdom hundreds and thousands o tons of potatoes per week, was arreste on the platform of the Great Souther and Western Railway Station, on th supposition that he was engaged in treasonable practices. He was detained i custody for three or four hours, and the discharged, without a word of explanation or apology. When such thing could take place, and when they ha such experiences in Ireland, he though they were justified in viewing wit alarm what might happen if a magistrate's "reason to believe," promoted b police whispers, was to form sufficien justification for arrest and detention o Her Majesty's subjects. Upon such a whisper the magistrate would hav power to summon to a police court, o any other place where a petty session was held, any person within his jurisdiction, whom he had "reason to believe to be capable of giving materia evidence concerning such offence." Wa it not in accordance with human natur that a policeman, having set a matter o this kind on foot, would give the magistrate reason to believe that there were a great many persons capable of giving evidence, but who might be inclined t be indifferent in the matter? Coul any man realize the hardships whic might be imposed on a number of persons in being drawn from their lawfu business at the beck of the magistrate induced by the whispers of a policeman? There was no analogy at all in these matters between England and Ireland. The two countries were so essentially different that any person who had not resided in Ireland could not appreciate the difference. He found, when he went further into the Bill, that under Section

25—"If the Justice is satisfied by evidence upon oath." There, again, it was the oath of the policeman, and there was abundant evidence that the statements made by policemen were afterwards constantly disproved. Nevertheless, they found that—

> "If the justice is satisfied by evidence upon oath any person within his jurisdiction likely to give material evidence will not attend to give evidence,"

such a person was liable to be arrested. The word "likely" had a very broad meaning, and the policeman, in his desire to procure convictions, would not spare any person whom he considered "likely" to give evidence; and when he made a statement on oath that such a person was likely to give evidence, what became of the liberty of a subject, seeing that behind that person's back the magistrate could issue a warrant in the first instance? This clause did not even give the person a chance of responding to the summons; but the magistrate could, in the first instance, issued a warrant. If such things were enacted in regard to England as were imposed upon Irishmen by this Act, he believed they would almost lead to a revolution. He now came to Section 27, from which he found that when this unfortunate person was brought forward, "if he refused or neglected to produce any documents which he was required to produce," he was to be punished by imprisonment. Now, how could the magistrate have any cognizance of the witness having such documents at all? How was he able to understand that such documents existed, except upon the whispers of a policeman? How was the magistrate, under this extraordinary power, to have an opportunity of proving the statement made to him that such documents did exist without verification? Let the House look at the magistrate's powers. He had power to adjourn the proceedings for any period not exceeding eight clear days, and he might commit the person refusing to gaol unless he was willing to do what was required by him. But what if it was impossible for him to comply with the provision of the Act, and to do what he was called upon to do? How would he be affected if the documents did not exist at all? Could there possibly be a greater infringement of the liberty of the subject? The clause went on to say—

> "If such person, upon being brought up on such adjourned hearing, again refuses to do what is so required of him, such justice, if he sees fit, may again adjourn the proceedings, and commit him for the like period, and so again, from time to time, until such person consents to do what is required of him."

Would any honest man ever think of putting into the hands of Irish justices such tremendous power—power which amounted to the punishment of a man who was required to do what it was impossible for him to do? He granted that there might be some cases in which there might be contumacy; but he knew, from his own experience of the way in which justice was administered by the magistrates in Ireland, that under Section 27 of this Bill the most tremendous hardships would be inflicted on innocent people. Turning from the witness to the accused, he found in Sub-section D of Clause 28, that the justices—it was still a mere justice, selected from a class antagonistic to the persons who were brought under the operation of the law—he found that these justices might—

> "Order that no person other than the accused, his counsel and solicitor, shall have access to or remain in the room or building in which the inquiry is held (which shall not be deemed an open court), if it appears to him that the ends of justice will be best answered by so doing."

There was an old adage in the English law, that it was better for 99 guilty persons to escape than for one innocent person to suffer. But that adage appeared to be reversed in Ireland. [*Cries of* "Agreed!"] Hon. Members opposite were impatient; but he (Mr. Daly) was an Irishman, and he looked at this question from a very different point of view. Let him take one of these cases, which might be initiated by the policeman, and then placed by the magistrate under Section 28, by which means the accused was deprived of the liberty of having the case against him made known to the persons who were most familiar with his social surroundings. Under Sub-section D, a man might be brought up *in camera* before the justices, and an accusation that was entirely false might be made against him, that he was in a certain place at a certain time. There might be 50 responsible persons who had met him in an open fair, or market, or some other public place, at the time mentioned in the accusation against him; but they would be deprived of the liberty of vindicating that man's innocence simply because the exact facts of the accusation did not reach them. He certainly considered that this was the most objectionable provision of the Bill. Of course, he was speaking in utter ignorance as to whether this was a simple quotation of the existing law or not; but this he did say—that whether it was the law as it stood at present on the Statute Book or not, it was a law at complete variance with the liberty of every man who claimed to act in a Constitutional manner. He could conceive no greater injury done to a man than this sort of Star Chamber examination, where a policeman could make any kind of false charge, without the chance of being detected. It was further well known that the charges made by the police would be well received by the magistrates, and the policeman himself knew that his only road to promotion lay in pleasing the justices. It must be borne in mind that all these powers were not powers intrusted to a responsible tribunal, but that they were powers entrusted to the ordinary justices. He believed if they had in these tribunals the most eminent and learned Law Lords in the United Kingdom, any man anxious to secure the liberties of the people would hesitate to exercise these arbitrary powers. But they were intrusting them in Ireland to men who were embittered by long struggles with the classes against whom the powers were to operate, and who it was not unfair to say governed more by their passions and prejudices than by their reason. He entertained a very strong opinion that if Sub-sections B and C were on the Statute Book at present they ought at least to be removed at once. In regard to Clause 72 he also desired to say a word. He did not know anything about the Law of Conspiracy; but he did think that in any free country the words—

> "If several persons form a common intention to prosecute any unlawful purpose, and to assist each other therein, each of them is a party to every offence committed by any one of them in the prosecution of such common purpose, the commission of which offence was or ought to have been known to be a probable consequence of the prosecution of such common purpose."

went too far. Now, supposing that four or five men agreed, as was common in Ireland, to take part in a faction fight; suppose that in some part of Ireland, such as New Pallas, such a party agreed to go to a fair in order to meet some of their opponents. [*Laughter.*] He had really no means of appealing to the reason of hon. Gentlemen opposite, and, therefor he was obliged to appeal to their imagination. He wished to base an argu men upon this clause dealing with a leged conspiracy for a common purpos Suppose, then, that four or five me went to New Pallas, with the intentio of meeting four or five other other me belonging to a hostile faction; suppos that two of them repented of their dete mination on their way to New Palla and went back; suppose that the othe three proceeded and engaged in a factio fight with their opponents, and unfo tunately beat a man to death, would not be held, under the words of this se tion, that the two who had repented we liable to a charge of murder, becaus the offence was such that that ought t have been known to be the probabl consequence of the prosecution of suc a common purpose? [*Laughter.*] H was not speaking to the budding an briefless lawyers sitting below the Gangway on the other side of the Hous who were indulging in a good deal cachination of a certain *post prandi* kind. As an Irishman, he could mak allowance for a good deal of their excitement. But what he said was thi that the words "probable consequence were very dangerous words to introduc into any Bill which was subsequentl to be made an Act of Parliament; an he believed that if this Bill were passe in its integrity, it would do a great dea to increase still further the bitter fee ings which already existed in Irelan and that it would intensify the con viction that at the hands of this Englis Parliament there could be little justic expected for Ireland.

Mr. WARTON said, he desired to sa a few words before the Bill was referre to the Standing Committee. There we two modes of making a code. One w simply to state the existing law, as was, in a clear and definite form; an the other was to combine with th existing law a great number of alter tions and amendments of principle an practice. He would not say on whic of these two modes they ought to pr ceed; but this he would say, and it w a matter upon which he had a conside able amount of feeling, that the prese Bill went considerably towards the latt of these two plans, and contained number of new questions of law an startling innovations in the existin procedure which he did not think necessary at all. For instance, he would refer to the 100th clause of the Bill. That section really affected matters so important that when one talked of principles of law they could scarcely realize the effect of the change proposed to be introduced. For a long time it had been the custom of the country not to examine an accused person; and, in his opinion, there were very broad grounds why an accused person should not be examined. At any rate, the step now proposed was a retrogade one, and he did not thiuk they ought to attempt to deal with a knotty point like that, by including it in a Bill which was to be referred as a whole to a Select Committee. He said nothing about the body to whom it was proposed to refer the Bill; but he took the Bill as it already stood, and, if it were allowed to pass, it would certainly introduce a great number of anomalies into the law of which he believed a great many hon. Members would disapprove. The proposal to examine an accused person raised a very important question, which took them back to the time of the Inquisition, and the Star Chamber. Nothing was more in accordance with the principles of our law than to give the accused a fair chance. He could not conceive any spectacle more hideous than that of calling upon an uninstructed man, who was a prisoner at the bar, ignorant, perhaps, of the very language of the indictment brought against him, probably with no counsel to defend him, who thought he was able to give an account of the circumstances of the charge against him, and then found himself suddenly cross-examined by an ingenious counsel. The very word used in ancient times to describe the torture of the rack was the "question;" and although in these days of humanity they would not establish a bodily rack, they were endeavouring to establish, by this Bill, a mental rack. Odious as the spectacle was, there was only one spectacle more odious, and that was the calling of the wife to say a word in favour of her husband. With the kindness and devotion which a woman always exhibited, she would be certain to come forward to say something in his behalf, but she would be probably ignorant of what the effect of her evidence was; and the result of his (Mr. Warton's) experience of the Law Courts was that ignorant and uninstructed persons were always disposed to rely upon some simple contradiction of the evidence, some insignificant point, such as this—the policemen declared that they saw a man in a particular situation at 4 o'clock, whereas it might have been 3 o'clock, and if the prisoner thought he could contradict that one particular point he would rely upon that more than anything else. Those who were in the habit of defending prisoners knew that in numberless instances they were pestered by prisoners and ignorant attornies to call witnesses to prove unimportant points. He had frequently of late seen counsel prosecuting for the Crown in numbers of cases against prisoners with all the eagerness proper only for civil causes. He had seen a prosecuting counsel urging forward a case with the same eagerness that he would have manifested if he had been defending the prisoner; and over and over again he had known a prosecuting attorney unduly press counsel to get a verdict, whether rightly or wrongly, and, in endeavouring to get that verdict, they not unfrequently conducted themselves as if they were baiting some wild animal. He contended that this proposal would add a new mode of unfairly obtaining convictions, and that if the prisoner in the dock was to be put upon this mental rack, it would be quite contrary to the principles of fair play which had hitherto animated our Courts of Justice. Her Majesty's Government expected to pass this Code after a very few hours of real debate. Their only object seemed to be to enable the Law Officers of the Crown to hurry the Bill through the House as rapidly as possible. He thought the principles they were tampering with were too sacred to justify the House in assenting to the course proposed. His own opinion was that the principle of examining accused persons in criminal cases was calculated to do an immense amount of injustice, and it ought not to have been introduced into a code. They knew how uninstructed a prisoner generally was; how often innocence was made to look like guilt; and that, through ignorance, many persons could never be brought to understand what the real facts were that affected them. That was only one matter out of many. This Bill converted the justices into policemen. By the 12th section, every justice had the power of holding a preliminary inquiry. Now, it was the duty of a policeman to hunt out crime, and there was no reason whatever why a magistrate should be employed in discharging that duty. When crime was detected, and some person was charged with it, it was right to bring it before the magistrates. Magistrates should do justices' work, and policemen policemen's work. Last year they passed a Bill for Prevention of Crime in Ireland. At that time, no doubt, some such measure was necessary, and he supported the Government in the Bill they introduced under the peculiar circumstances in which Ireland was placed, because he knew there was an indisposition in that country to promote the ends of justice; that witnesses were kept out of the way and terrorized over; and that, therefore, there should be some means of investigating cases secretly, because it was not safe to have a witness examined openly. But he never dreamt that they were to take as a model for their future practice the Bill which was introduced in regard to the state of Ireland under most exceptional circumstances. And it ought to be a warning to the House how careful they should be in assenting to any measure under the pressure of the moment, if such a measure was to be made hereafter a pretext for introducing principles into the law which were entirely wrong. As to the investigation before the magistrate, the 27th section gave power to the magistrate to commit to prison any person who refused to answer any question that might be put to him. He thought the clause would require very careful consideration before its was inserted in the Bill. The clause stated that—

> "Whenever any person, appearing either in obedience to summons or subpœna, or by virtue of a warrant, or being present and being probably required by the justice to give evidence, refuses to be sworn, or having been sworn refuses to answer such questions as are put to him, or refuses or neglects to produce any document which he is required to produce, or refuses to sign his depositions without in any such case offering any just excuse for such refusal, such justice may adjourn the proceedings for any period not exceeding eight clear days, and may in the meantime, by warrant in form D (1) in the first Schedule thereto, or to the like effect, commit the person so refusing to gaol, unless he sooner consents to do what is required of him."

It would be seen that no account was taken of the fact that the witness w
only refusing to answer a question whi
might tend to criminate himself, and
had always been held that a witne
had a perfect right to refuse to answ
upon that ground. He did not know
it was the object of the Government
destroy that safe-guard, or whether th
intended in future to subject witness
to interrogations utterly regardless
the consequences to the witnesses the
selves. Under this clause, ordinary w
nesses who were not prisoners were co
pelled to answer questions that mig
tend to criminate themselves, and
thought it ought to be distinctly stat
that witnesses under such circumstanc
might refuse to answer. He could n
agree with his hon. Friend the Memb
for Stoke (Mr. Broadhurst) with rega
to the 72nd clause of the Bill; becau
that section, as it now stood, had alwa
been the law in regard to combinatio
acting together for a common purpo
and it had been one of the great sa
guards for the preservation of ord
that when persons conspired togeth
they should be all equally answerab
Indeed, in his judgment, it was a great
offence for persons to combine togeth
to commit a crime, than for a man
commit a crime alone. It was wick
indeed for one man to do it; but it w
far more wicked for a number of m
to conspire to commit a crime in op
defiance of the law, and to support ea
other in the wickedness they conte
plated. Persons who gave each oth
mutual encouragement, and banded the
selves together to violate the law, h
always been designated conspirators, a
were regarded as much worse than t
man who committed a crime by himse
Therefore, he did not agree with t
views expressed by the hon. Member
Stoke (Mr. Broadhurst), which made t
hon. Gentleman doubtful whether
would support the second reading of t
Bill or not. There was a much grea
objection than all these in regard to t
construction of the Code, and that w
the peculiar circumstance that there w
practically before the House two Bills
namely, this Bill which contained amo
other things provisions for the establis
ment of a Court of Appeal, and anot
Bill which had already been sent up
the Grand Committee, and which
now undergoing investigation there.
thought it was an unheard of circu

stance that, at the very same time, almost at the very same hour, and from the very lips of the very same Law Officer of the Government, they should have recommended to them two Bills that were totally different and inconsistent with each other. He had heard the statement made by the Speaker; and althought the right hon. Gentleman had overruled the objection which had been raised, he (Mr. Warton) must say that the overruling of that objection did not get rid of the inconvenience—he would not say the illegality, but the inconvenience—which arose from the hon. and learned Gentleman the Attorney General coming forward at the very same moment with two perfectly inconsistent proposals upon the same subject. He wished to know how the hon. and learned Gentleman proposed to amalgamate the two Bills? He failed to see if the Court of Criminal Appeal Bill now before the Committee upstairs was seriously intended to be carried, how the appeal provided for in these measures could be made to apply. Certainly, a proposal to summarize the law, at the moment they were altering the law itself, seemed an eccentric and curious mode of procedure. He could quite understand the hon. and learned Attorney General saying—"Pass your Criminal Appeal Bill, and I will strike out of the Criminal Code Bill all the provisions relating to appeal, and only put into it the clauses which are calculated to make it a perfect Code of Procedure." That would be a reasonable process; but to ask the House to go on with this Bill, when another and a perfectly inconsistent Bill was being pushed on as quickly as possible, seemed to him to be a most extraordinary course. He thought it would be far better if the hon. and learned Attorney General would be willing to put off for some time the consideration of the present Bill. At the same time, he (Mr. Warton) did not intend to oppose the measure. He was only desirous of calling attention to the singular spectacle presented to the House, and he hoped the hon. and learned Attorney General, before they came to discuss the clause, would explain to the House—for up to the present moment he had said as little as possible—in what way the Government intended to deal with the two measures; whether they intended to stand by the Court of Criminal Appeal Bill, or whether they meant to go on with both at the same time, and to place upon the Statute Book two Bills which differed very materially from each other?

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he had explained the course he had intended to take most fully on introducing the Bill.

MR. WARTON said, he had not heard the explanation. The hon. and learned Gentleman had certainly made no speech in moving the second reading of the Bill, and he thought it would have been much more respectful to the House if he had done so. The Bill was intended to qualify the existing law by introducing a number of new provisions into it, and it was scarcely respectful to the House to bring forward the second reading of so important a measure without a word of explanation. The proper time for that explanation was upon the second reading of the Bill, when hon. Members were present in their places, and not on the introduction of the measure, when a great many of them would be away. He feared the object was to hurry the Bill through the House in a way that was far from satisfactory; and, therefore, the explanation had been given at the wrong time. He hoped the explanation of the hon. and learned Attorney General would be satisfactory to the House, because the measure was one of great importance, introducing a great number of new principles, some of which did not amount to codification at all, while other parts of the measure altogether changed the law. He certainly hoped that such clauses would be omitted from a Bill which professed to be the Codification of the Law.

MR. T. P. O'CONNOR said, he re-echoed the surprise and dismay of the hon. and learned Member for Bridport (Mr. Warton), and sympathized with him in his feeling that such a Bill as the present, which dealt with the whole of the Criminal Procedure of the country, should be passing out of the hands of the House under the circumstances which had attended the debate of that evening. He would make two statements—first, that this Criminal Code introduced changes into procedure sanctioned for centuries in this country, which might be described as revolutionary; and, secondly, that this revolutionary measure had not been read, and was scarcely understood, by one out of 50 Members of the House. He saw the right hon. Gentleman the Prime Minister in his place; and, if it were not a breach of Parliamentary etiquette, he (Mr. T. P. O'Connor) would be disposed to press the question—Had the right hon. Gentleman himself read the Bill? How many non-legal Members on the Treasury Bench and other Members of the House had read it, and how many of them knew that it proposed changes of the most startling nature in reference to every step in the Criminal Procedure of the country? It had been said that the majority of hon. Members sitting in the House did not expect to come within the operation of the Bill. He wished the Members on those Benches were able to feel the like security; and would say further, that if the Members of the Government were as unscrupulous as he would not suppose or assume, there was no hon. Member on those Benches who differed from the Government in speech that might not, if the Bill became law, be consigned to such term of imprisonment, or penal servitude, as the Judges and juries in Dublin passed upon him. The Prime Minister was credited by public rumour with the intention—incorrect, as he (Mr. T. P. O'Connor) honestly and sincerely wished—of withdrawing from the House the great advantage of his genius and services. But the retirement of the right hon. Gentleman would be at a most inauspicious moment; because, as had been made clear from the debate of that evening, when he passed the Procedure Rules, he gave a great blow to the dignity of their proceedings. The House was free from all responsibility with regard to the details of this measure, which was to go to a Committee upstairs, and had discussed the Bill in a most perfunctory and half-hearted manner. Hon. Members who were engaged on the Grand Committee, before which the Bill would go, were not likely to come down there and double the work they had to do; and the consequence was, that a Bill like this could be smuggled through a sleepy House without discussion. Coming to the Bill itself, he said there was not a fundamental or characteristic principle of English Criminal Procedure which it did not interfere with. If there was one point more than another which, with its usual self-complacency, the Press in this country had congratulated the English people upon, it was that prisoners in this country were treated i a different manner to prisoners in foreig countries. They were told that in Franc the prisoner was cross-examined by th Judge, who acted rather as a prosecuting counsel than as a man holding th scales of justice; they were told tha moral torture was inflicted by this system of cross-examination, which was carrie out in the prisoner's cell with no one t protect him from unfair treatment. Bu there was not a single blot which th English journals used to point out an condemn in the criminal procedure o foreign countries, which the Bill befor the House did not sanction. The prisone could be cross-examined by the prosecuting counsel, and this examination coul take place in his cell, because the magistrates were to have power to transfer th hearing of cases to any place they chose it might be held in the cell, in th middle of the night, and the words of th Bill were that the public could be excluded from attendance at the examination. But that was not all; the magistrate could, in short, do what he liked in the matter, because the wording o the Bill was so vague. It was to th effect that the magistrate might regulate the course of the inquiry in any way which might appear to him desirable and which was not inconsistent with th provisions of the Act. Now, those provisions assumed throughout the guilt o the prisoner, and the magistrate had a perfect right, on the assumption of guilt to inflict moral torture on the prisoner Again, as the Bill said that a magistrate might require anyone to appear before him, there was nothing to prevent a prisoner being taken into his parlour with no one else present than a constable. When the last Coercion Bil was under discussion, the Prime Minister made a pitiful, but certainly eloquent, appeal to the House not t confer upon the police in Ireland th power of entering houses at night fo the purpose of search; but the House nevertheless, more coercionist than the Ministry, gave the power which the Prime Minister had not asked for. One of the clauses of this Criminial Procedure Bill gave power to the police to enter a house either by day or night and, by another clause, any magistrate who happened to be harassing a particular district, need not proceed on the information of a constable or an informer, but could, of his own motion, summon anyone before him he might choose. And when that person came before him, what could he do? He (Mr. T. P. O'Connor) had said that probably not one hon. Member in 50 had read the clauses of the Bill; and he would like to ask now, how many hon. Members of the House were aware that a magistrate could bring a person before him at any time and place, and that if he refused to answer such questions as the magistrate choose to put to him, or if he refused to answer them in the manner desired by the magistrate, he could be sent to prison for eight days; that, at the end of that time, he could be brought up again and again sent to prison, if he still refused, and so on for any number of times until he did that which was required of him? This was moral torture—here was the Inquisition, sanctioned by words as plain and intelligible as any draftsman could frame them. He now came to the conduct of proceedings in the Superior Courts. He had always felt that one great defence of a prisoner was, that the charge against him should be definitely stated. But under the Bill, as it now stood, the charge against the prisoner could be stated with as much indefiniteness as possible, while the defence made by the prisoner must be stated with the utmost definiteness. The charge need not contain the name of a person assaulted, for instance, nor the name of the owner of property intended to be defrauded, nor need the actual words be stated where they gave rise to the charge against the prisoner—that was to say, that a person could be charged with using language of intimidation, without the words of intimidation being set forth. In fact, the Bill, when it became law, would contain a deliberate incitement and invitation to prosecutors, in place of being definite in the charges brought against prisoners, to be as indefinite as possible, because the more indefinite they were, the more chance there would be of obtaining a conviction. Another startling innovation was, that the deposition might be produced at the trial of a witness examined at the preliminary inquiry, although that witness might not be forthcoming; or, in other words, the Crown Prosecutor, who had put forward the evidence of an informer, might get him out of the way at the trial, if his cross-examination was likely to shake the testimony he had given. But the most dangerous part of the Bill was contained in Clause 50 and onwards, which amounted to the permanent enactment in Ireland of the system of packing juries. In the first place, it was proposed that the Attorney General should not, as now, be required to get the assent of the Grand Jury to any indictment; then the Attorney General could demand, and, as he (Mr. T. P. O'Connor) read the clause, the Court was compelled to grant trial at Bar. He thought the hon. and learned Gentleman the Attorney General, when he spoke on this question, might have been candid enough to inform the House that Clause 50 largely extended the jurisdiction of the Law Officers of the Crown with regard to trials at Bar, because that was really the effect of the clause. The hon. and learned Gentleman had said that the clause left the law exactly the same as it was; but he (Mr. T. P. O'Connor) repeated that it made a most extraordinary and revolutionary alteration in the law. It enabled the Attorney General to get rid of the protection afforded by the Grand Jury, and to bring the accused before the Court of Queen's Bench when he liked. The third provision of the clause related to the empanelling of special jurors; and here he would invite the House to take Clause 50 with Clause 72, in order to see the scope of the proposal. Let them put those two clauses together. There might be a special jury in the case of a trial at Bar, and according to Clause 50—

> "Upon a trial at Bar, the jury shall, in England, be taken from the county of Middlesex, and in Ireland from the county of Dublin, or the county of the city of Dublin, as the order of the Queen's Bench Division may direct."

That was to say, the Special Jury must be taken from a particular class of jurors in a certain portion of Ireland. Now, Clause 97 said—

> "No peremptory challenges shall be allowed in any cases in which a special jury has been struck in the manner herein before provided for."

The matter ran in this way—First of all, the Attorney General could have his trial without a Grand Jury; secondly, the case was heard at the Queen's Bench; thirdly, it was heard by a Special Jury in the City of Dublin; and, fourthly, the right of peremptory challenge was not allowed in the case in which a Special Jury had been struck;

or, in other words, jury packing was made a permanent institution in Ireland. What did the House think of such a thing as that? If it were possible for such a thing to occur, if this House could be suddenly transformed into a Palace of Truth—a thing which might be described by logicians as a metaphysical impossibility—hon. Members would open their mouths; and it would be a curious thing to hear how many would be obliged to admit that this statement of his disclosed a condition of affairs perfectly new to them in regard to the effect of the Bill. These clauses established the pre-eminence of jury packing in Ireland at the dictation of the Attorney General for the time being. Did hon Members know the character of the Queen's Bench in Ireland? It was a sort of ante-room to Dublin Castle; in fact, he did not know whether he was quite right in describing it as even an ante-room, seeing that the Judges of the Queen's Bench were, in nearly every case, Members of the Privy Council, and that, as such, they were a part of the Executive which had the direction of the policy of the country, which included the institution of political trials. In that way, the Judges were concerned in giving directions for trials which they subsequently had to preside at. They changed the venue of these cases from Dublin Castle to the Four Courts, and were themselves the very persons who had referred those prosecutions to Courts of which they sat as members of the administration. He maintained, therefore, that the Queen's Bench in Ireland was a Department of the State to all intents and purposes. Then, they had this fact to consider, that the Attorney General, who was also a Member of the Privy Council, appeared, at the suggestion of the Privy Council, to conduct prosecutions before Members of that Privy Council; and, more than that, the defendant was brought there before a Special Jury, from which he had no right to eliminate by peremptory challenge. Take a case of seditious libel—the hon. Member for Mallow (Mr. O'Brien) knew something about that, as he had been charged with the offence at least once. What was seditious libel? It was, in fact, a statement against the Government which the Government did not like—any attack made upon the Government which met with their disapproval was a seditious libel. In the face of that fact, would the House credit that it was now to be made a portion of the permanent law of the country, that no justification was to be allowed to be entered in reply to such a charge? In other words, any criticism on the action of the Government which the Government chose to prosecute meant conviction, because all they had to prove was the use of the words of which they complained. The Government had only to produce the papers which contained the words upon which the charge was founded. They need not prove the meaning or intention of the words, and, though justification was allowed to be pleaded in the case of any other libel, there was no such thing as justification permitted in the case of seditious libel. [The ATTORNEY GENERAL (Sir Henry James): What clause is that in?] He was surprised to find that it was necessary for him to extend the area of ignorance which seem to exist upon this Bill, because he found when he came to the fact that no plea of justification was allowed to a defendant in a case of seditious libel, that not only were hon. Members generally unacquainted with the provisions of the Bill, but that even the hon. and learned Gentlemen the Attorney General and the Solicitor General themselves had to ask what part of the Bill such a thing appeared in. The Law Officers of the Crown, who were supposed to have been engaged in perfecting every line of this Bill for months, were not able to tell off-hand what portion of the Bill contained the important provision enacting that no justification should be allowed in cases of seditious libel.

THE ATTORNEY GENERAL (Sir HENRY JAMES): I thought the hon. Member was speaking of some new enactment of the law. The provision he is referring to is no new law, but a portion of the existing law.

MR. T. P. O'CONNOR said, the hon. and learned Gentleman knew very well that that was only law in the sense of being Judge-made law—law made by one single Judge. But whether it was Judge-made law or not, did the hon. and learned Gentleman put forward the fact that that was existing law, as an excuse for not knowing what portion of the measure that provision was in? The hon. and learned Member rose to correct a misapprehension which only existed in his own mind. He (Mr. T. P. O'Connor) repeated that it was evident that the two Law Officers of the Crown did not know, and had to be informed, as to what portion of the Bill this important provision, disentitling a defendant to plead justification, in cases of seditious libel, was in; and that showed with what little wisdom the world was governed. Take the case of ordinary libel; the prosecutors were not required to set forth the words that contained it, so that one man could charge another with libel, without being obliged to set forth the words which constituted the offence. But, mark this—that indefiniteness being allowed to the prosecution, what was done in the case of the defence? If the defendant declared that he was obliged to state certain facts in the interest of the public peace, or for some other reason, he was required to set forth in writing the fact or facts which justified the plea, so that the prosecution had a detailed and definite statement of fact, to which the defendant was bound to adhere; whereas they themselves might reply in general terms. The prosecution might be general and vague in the original indictment, and when the defendant became definite and clear in giving the fact or facts, the prosecution might reply again generally. Vagueness was made the rule with the prosecution, and definiteness a necessity with the defence. He had spoken of the manner in which peremptory challenge was taken away, and perhaps the hon. and learned Gentleman the Attorney General did not know the clause in which that challenge was contained. If he was as ignorant on that point as he was with regard to justification in the matter of seditious libel, he (Mr. T. P. O'Connor) would inform him that the question of challenge was dealt with in Clause 97. How was it dealt with? In the first place, there was a right of priority given to the Crown. The prisoner had to speak first. There were several other provisions setting forth the grounds of challenge, and on these grounds, and on these grounds alone, could objection be taken to a person put forth as a juror. In the first place, a right of challenge was given where any juror's name did not appear in the jurors' book. Then, again, any number of challenges were given on the ground that a juror was not indifferent between the Queen and the accused; and they were given on the ground that a juror had been convicted of any offence for which he was sentenced to death or penal servitude, or to any term of imprisonment with hard labour, or exceeding 12 months. The clause went on to specify the following grounds, in addition to those he had quoted:—

> "That any juror is disqualified as an alien, under the law in force for the time being in England or Ireland; or in Ireland on the ground that any juror was returned to serve as a juryman contrary to the provisions for the time being in force for the returning of jurors in rotation."

Then came the words—

> "No other ground of challenge than those above mentioned shall be allowed;"

so that, in fact, they had to go into the question as to whether a juror had been convicted of any offence for which he had been sentenced to death or penal servitude, or to any term of imprisonment with hard labour, or exceeding 12 months, or whether he was disqualified as an alien, or whether he was returned to serve as a juryman contrary to the provisions for return of jurors in rotation. These grounds might be alleged, or it might be said that a juror was not indifferent between the Queen and the accused. That might be very plausible; but how could they find that a juror was indifferent between the Queen and the accused? The clause went on to say—

> "If any challenge was made, the Court might, in its discretion, require any party challenging to put his challenge in writing."

What followed? Why the clause said—

> "The other party may deny that the ground of challenge was true."

And then the Court could select two jurors, or, if no jurors had been sworn, then two persons present whom they might appoint for that purpose, to try whether the juror objected to stood indifferent between the Queen and the accused, or had been convicted as aforesaid, or was disqualified as an alien as the case might be. The selection of these two triers rested with the Crown, or, in other words, with the Member of the Executive, who was also the Judge in the Queen's Bench for the moment. That Judge might appoint two of his packed jurors to decide the question as to whether a juror, whose qualification was under consideration, was or was not indifferent between the

Queen and the accused. Well, he (Mr. T. P. O'Connor) considered he was justified in saying that, under these circumstances, this would be a permanent enactment of the very worst description. He now went to the Conspiracy Clause. ["Oh, oh!"] He could promise the hon. Member who seemed to object to his going into this matter, that he would state nothing that was not in the Bill, and that he would state some things which would give information to the hon. Member's mind. The clause was such that under it any member of a trades union—consisting, as some trades union might consist, of 20,000 or 30,000 members scattered all over the country—could be held responsible for any single act of every single individual connected with the body to which he belonged. To that matter he particularly wished to call the attention of the hon. Member for Stoke (Mr. Broadhurst). Suppose there was some bricklayers' organization, and that the hon. Member for Stoke was president of it; and supposing down at Stoke, or some other part of the country, a member of that organization rattened another member, the hon. Gentleman himself could be made amenable for the offence here in London. The Bill said, "they must have joined together for an unlawful purpose;" but the House must not forget what a partizan Judge and a packed jury might consider an "unlawful purpose." Of course, there would be no danger if all Judges were honest, and if all Attornies General and Solicitors General were scrupulous, or, at any rate, as ignorant of the clauses of the Bill as the hon. and learned Gentlemen sitting on the Front Bench opposite. They must face the fact that impartiality such as that of those two hon. and learned Members was not easily paralleled, and they must always bear in mind that they might, at any time, in Ireland, have better informed Law Officers than these. This Conspiracy Clause said, in Sub-section C of Clause 72, that a person was a party to, and guilty of, an indictable offence who—

> "Directly or indirectly counsels or procures any person to commit the offence, or to do or commit any such act as aforesaid."

The clause went on to say—

> "If several persons form a common intention to prosecute any unlawful purpose, or to assist each other therein, each of them is a party to every offence committed by any one of them in the prosecution of such common purpose, the commission of which offence was, or ought to have been, known to be a probable consequence of such common purpose."

Therefore, it was not necessary that there should have been an association for an unlawful purpose—it was not necessary that the results of an association should have been the deliberate planning and perpetration of unlawful acts—but that the result of any act should have been such as the wisdom of any associate should have foreseen. Supposing a man made a speech, and three years afterwards a crime was committed which, in the opinion of the prosecution, could be indirectly traced to that speech, the party who had made it could be held guilty of the crime, notwithstanding that the speech might have been delivered for the very purpose of preventing such crime. There was not an association in the land that would be safe under this Bill, if the law were administered as it was being administered just now in Ireland. The measure was virtually a permanent enactment of some of the worst features of the Prevention of Crime Act. Apparently, nothing would satisfy the Government but adding to everything that was bad in it, dispensing with that which was least offensive, and retaining everything that was evil. The Bill said, in Clause 130—

> "This Act shall not apply to or affect the Prevention of Crime (Ireland) Act, 1882, and this Act and any proceeding thereunder may be carried into effect in the same manner and with the same consequences in all respects as if that Act had not been passed."

So that the Government were not satisfied with one or the other measure alone, but they required the two. He regarded the Bill as most perilous to the liberty of the subject. It destroyed every one of the accepted principles sanctioned by tradition in this country. The practice and tradition had always been for the proceedings to take place in open Court; but, under the Bill, they could take place in secret. An old maxim was that every Englishman's house was his castle; but, under the Bill, every man's house would be liable to inspection by the police at any hour of the day or night. According to immemorial usage in this country, every man was assumed to be innocent until he was proved guilty; but the general effect of the Bill was to assume that every man was guilty until he had proved himself to be innocent. The tradition and universal practice of the country had been that there should be definiteness in the indictment; but, for definiteness, this Bill would substitute vagueness in every part. These things could not be too strongly reprobated; but in England there were the safeguards of a free Press and an effective public opinion. In Ireland they had neither the one nor the other. The public opinion of Ireland was not effective with regard to the administration of the law or with regard to legal decisions. The more public opinion asked for anything, either from this House or from the Courts in Ireland, the more certain was it to be refused. The greater the unanimity of public opinion in Ireland on any question, the greater was the unanimity of English public opinion against concession to it. In Ireland, therefore, they had no protection in public opinion. They had no protection in the freedom of the Press, because there was no such thing as freedom of the Press in that country. There was no writer for the public Press who, if he dealt with political questions, could not be brought before a packed jury by an unscrupulous Attorney General, and convicted of seditious libel. In short, this Bill would take away the last safeguards of the liberty of the Irish people; and the Irish Members were therefore bound to meet it with a most obstinate and stubborn opposition.

Mr. SEXTON said, he begged to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Sexton.*)

The ATTORNEY GENERAL (Sir Henry James) said, he thought he need not express the hope that this Motion would not be accepted. Early in the evening hon. Members opposite had been absent, and had advanced no objection of any kind to it; but, having returned at a late hour, they raised objections, not to the second reading, but to clauses, innocent, he quite admitted, of the fact that they were repeating, over and over again, the arguments which had already been heard in the debate. The House had had to hear, over and over again, what had already been said, without a word of criticism on the principles of the Bill, and directed only to clauses. He was sure the House would desire every possible discussion on the Bill; but it had been already discussed, and if hon. Members wished to discuss it further, all he could say was that the Government intended to meet this Motion for adjournment with strong opposition.

Mr. O'DONNELL said, that, until within the last hour, the Liberal Benches had been almost empty. Irish Members had, in the course of the discussion, kept themselves in the background, while leading Members on both sides had expressed their opinions. According to the traditions of the Chair, if an Irish Member had risen in the first hour of the debate, he would not have been called upon in preference to those who had a right to sit on the two Front Benches; and the present crowded state of the House had given rise to the suspicion that it was due to a "Whip" which had been sent round the Clubs in order to bring about an untimely close of the debate. It would be impossible for the Government to conceal a confederacy of that description from the condemnation of the public.

Mr. SPEAKER: The hon. Member must confine himself to the question of the adjournment of the debate.

Mr. O'DONNELL said, he desired to speak on the details of the Bill. There were still some Amendments to be moved—for instance, the most important proposal that the Bill should be referred to a Standing Committee. The hon. and learned Attorney General, in introducing the Bill, had given but a very faint outline of its provisions; and one of the reasons why he (Mr. O'Donnell) had risen at all was that the hon. and learned Gentleman had made no clear statement in reply to the right hon. and learned Gentleman the late Attorney General for Ireland (Mr. Gibson), and several other hon. Members who had spoken, but had vaguely declared himself ready to abide by the decision of the majority of the Grand Committee, taking refuge behind a problematical sort of decision, instead of giving a clear statement of the policy of the Government.

Mr. JUSTIN M'CARTHY said, the hon. and learned Attorney General had given as his reason for opposing this Motion some supposed conspiracy on the part of Irish Members; but many of the

Irish Members had had to attend a meeting of great importance to them, having no connection with this Bill. When they were free from that meeting, they had come back to the House, and had remained there as closely as they did on any other evening. When he (Mr. Justin M'Carthy) came in, he found the late Secretary of State for the Home Department discussing the Bill in the presence of the Speaker and one other Member. What was to be done with this Bill after it left the House? This Bill affected the interests of the Irish people, and was it fair that Irish Members should have no opportunity of discussing its details? He had intended to take part in this debate, and he thought that he and others like himself were entitled to have a chance of doing so; and he hoped the House would not consent to the sudden closing of the debate.

Mr. PARNELL said, he thought the Government seemed to suppose that they had a Criminal Code for the House, as well as the Criminal Code they were proposing for this country and for Ireland. He certainly joined with his hon. Friends in considering that the Bill was one of much importance, which would have to be closely scrutinized before the Grand Committee, and again when it returned to the House. But the Government appeared to have the idea that a Bill of such enormous moment, and ranging over such wide questions, should be read a second time after the very partial discussion it had received to-night. The hon. and learned Gentleman seemed to be annoyed because he could not show some supposed absenteeism on the part of the Irish Members during the early hours of the debate. He (Mr. Parnell) himself was not able to be present in the early hours; but he knew that the Irish Members did not intend to show any discourtesy to the hon. and learned Gentleman himself. On the contrary, they waited in the House up to the last possible moment, consistently with not neglecting other important duties and interests which they were bound to attend to, in order to have the pleasure of hearing the hon. and learned Gentleman's exposition of the Bill. But the hon. and learned Gentleman had disappointed the expectations that had been formed of him, and had decided to move the second reading of the Bill without any explanation. It was, therefore, not in the power of his hon. Friends to pay that courteous attention to him which they would have desired to pay under other circumstances. The hon. and learned Gentleman would, therefore, see that he was not entitled to make that charge of deliberate absenteeism which he had made against the Irish Members. This was a most important Bill, and there were Amendments standing against it in the name of different Members, showing a great interest in the Bill. He had not before seen a Bill with so many Amendments against the second reading as there were against this Bill. It was a measure which excited unusual and unprecedented interest; and, considering that the House would be deprived of an opportunity of discussing it on the Committee stage, there ought to be a further discussion on the principles before the Bill went to the Grand Committee to which the Government had intimated their intention to send it. The attitude of the Government practically meant that the Irish Members were only to be entitled to speak on a Bill of this kind during the dinner hour, when it suited other parties not to be present. That was the only deduction he could draw from the hon. and learned Gentleman's speech, and therefore he maintained that Irish Members were entitled to press for a further discussion.

Mr. T. D. SULLIVAN said, he had heard many charges brought against Irish Members, and now they were charged with having been absent from the House; but he had thought that the longer the Irish Members were absent, the better the House liked it. But if they were absent, it was for very good reasons; they had most important business to attend to, and no charge could lie against them on that account, especially considering that English Members were absent in the same way. He had seen the Liberal Benches absolutely empty while important questions were under consideration, and Irish Members were frequently in the House keeping important questions before the country, when the House was almost entirely deserted. They considered this Bill of great importance, and the reason why he supported the Motion for adjournment was that it was important both to England and Ireland. If it dealt only with English liberties, they would let

English Members take care of their own interests; but they were concerned with the liberties of the Irish people, and were of opinion that this measure had not been sufficiently discussed at this stage. English laws, however drastic, might in a large measure be trusted to English magistrates.

MR. SPEAKER: The hon. Member is not now speaking to the Motion before the House.

MR. T. D. SULLIVAN said, he desired to support the Motion for adjournment on the ground that this was a Bill of exceedingly great importance, especially to Ireland, and there was a great deal that Irish Members desired to say upon it. For that reason he held that they had a good claim to ask for an adjournment of the discussion.

MR. DAWSON said, it was with sorrow that he saw not only the liberties of his own country, but the liberties of this country passing away by a measure of this character. He was very much of the opinion of his hon. Friend that hon. Members ought to have time to read the Bill and understand it, and that the Government should not seek to close the debate which, to his mind, they had not taken sufficient part in. A measure of this nature ought not to be forced on at that very late hour. If hon. Members would get up and give them some intimation that they thoroughly understood the question, and would not be forced and hoodwinked into giving a decision at that late period, he should withdraw his opposition to the proposal of the Government to go on with the Bill; but he felt certain that if they went on with it now, the vast majority of Members would be hurried into a decision for which they would have reason, some day or other, to be sorry. One difficulty which would be experienced if the Bill was pushed on now, would be that when it went to the Members of the Grand Committee, if it was not thoroughly discussed on the second reading, the Members of that Committee would be making Amendments in it which, when it came back to the House, would have to be fully discussed on Report, as well as those matters which the Government would not allow time to go into now. Hon. Gentlemen had not read the Bill; therefore, to hurry it through now would be to seriously affect the legislation of the country. He thought it had been clearly shown that the English Members did not rise to the necessities of the occasion. He thought that sufficient reason had been shown on the part of the Irish Members for wishing to delay the measure until it was better understood by hon. Members. Let the Government give the Irish Members a further opportunity to inform English Members, and opening their minds upon this matter. He fully intended to support the Motion for adjournment; and, in doing so, he wished to say that a great change had come over the House. In other years they would have been permitted, with all their powers as Members, to take part in a full discussion of this Bill in Committee of the Whole House. They were not to be allowed to do that, however; and he therefore asked, was it fair for the right hon. Gentleman to tell them——

MR. SPEAKER: I must call the hon. Member's attention to the fact that he is not speaking to the Question before the House.

MR. DAWSON said, he was about to speak of the innovations that crippled discussion, and which made hon. Members all the more entitled to have a full debate in that House while the principle of the Bill was before them. The Committee of the Whole House on this Bill had been taken away; and the result was, that he and other hon. Members, who were not on the Grand Committee, could not discuss the details, except on such an occasion as this. Was he not entitled to refer to that?

MR. SPEAKER: The hon. Member asks me for my direction, and I must therefore give it him. He is clearly not in Order in the observations he is making.

MR. DAWSON: Then all I will say is that I wish to support the Motion.

MR. LEAMY said, he could very well understand the anxiety of the hon. and learned Gentleman the Attorney General to have this Bill read a second time that night. It was, of course, very natural that, being in charge of the Bill, the hon. and learned Member should wish it to pass the House as rapidly as possible, so that it might go before the Standing Committee; but, at the same time, he (Mr. Leamy) could not help thinking that the reason of the hon. and learned Member's anxiety was that he feared that if the measure were adequately discussed at that stage, it would be very likely to meet with a more strenuous opposition when it went upstairs than that which he now anticipated for it. He (Mr. Leamy) doubted very much whether the hon. and learned Member could point to any Bill of such great importance as this, or to any Bill dealing with the Criminal Procedure, or with Law Procedure, which, though it did not touch such vital questions as were dealt with in this measure, was passed through the House after one night's debate. This was a measure which certainly deserved the closest possible attention from the House. He did not wish to raise any question about how it would affect Ireland, or how it would affect England; but he took it as a legal Bill, which would effect very serious changes in the Criminal Law of the country; and he submitted that these things should not be dealt with lightly, and that the House should not commit itself to changes like these without having carefully examined them. No one knew better than the hon. and learned Member himself the serious character of the changes that would be effected by the Bill; and it was only natural that he should be anxious to get the measure through that House, and sent to the Standing Committee, where no publicity would be given to the discussion that took place upon the details. If the present attempt of the Government were successful, there would be no adequate discussion on the principles of the Bill, and nothing would be known of the discussion in its details. He was satisfied there were many English Members who did not understand the Bill, and who, therefore, were unable to take part in this debate, and if an adjournment were allowed they would be enabled to inform their minds upon the matter. If the debate were adjourned, these English Members would join the Irish Members in opposing certain clauses of the Bill. The measure contained 131 clauses, some of which, as he had said, were of the greatest possible importance. The hon. and learned Gentleman the Attorney General had accused the Irish Members of repeating the same arguments over and over again; but, if that were so, was it not for the reason that the hon. and learned Gentleman had not attempted to answer the arguments advanced? No attempt had been made to explain those points in the Bill upon which the Irish Members had put questions, and to which they had raised objections, and he (Mr. Leamy) submitted that they had a right to expect that the hon. and learned Gentleman in charge of the Bill would state whether or not the construction put upon the clauses by the Irish Members was a just and fair one. But to ask them to prolong the discussion at half-past 1 in the morning was really too much. It must be borne in mind that a considerable number of hon. Members had had to attend a meeting of the Grand Committee that day, which sat at 12 o'clock. It was to be presumed, as that Grand Committee in question was the one on Law and Legal Procedure, that it had occupied the attention of many legal Members of the House, who were consequently not in their places that night through having had to come down to Westminster at such an early hour that morning. He thought that to attempt to close the discussion on the Bill in the absence of these hon. and learned Gentlemen, who had been serving on the Grand Committee because of their supposed special knowledge on the subject, was to attempt to pass the Bill through under circumstances of great disadvantage. He heartily supported the Motion for adjournment.

Question put.

The House *divided*:—Ayes 19; Noes 128: Majority 109.—(Div. List, No. 56.)

Main Question again proposed, "That the Bill be now read a second time."

Mr. KENNY said, he begged to move the adjournment of the House. He thought they had already given sufficient reasons why an adjournment should take place. The Irish Members had been accused of deliberately absenting themselves at the commencement of the debate; but that was not the fact. When the Irish Members returned to the House they found that the English Members were absent, and he thought it would be well—[*Loud cries of* "Divide, divide!"]—if an opportunity was afforded to further discuss this Bill. He protested against those interruptions, coming as they did, in some cases, from hon. Members who were not in the most perfect state of self-possession. When he came back to the House, he found very few hon. Members present; and it was only at his (Mr. Kenny's) request that the hon. Member for Cavan (Mr. Biggar) had refrained from moving a "Count." He had missed the first portion of the debate; and he, therefore, desired to have an opportunity of making himself acquainted with the remarks which hon. Members had let fall during the discussion of the Bill on the second reading, by reading the speeches in the newspapers to-morrow before the debate closed. He was especially anxious to read in the papers to-morrow the introductory observations of the hon. and learned Gentleman the Attorney General. He thought that, considering the very late hour and the manifest unfitness of hon. Members to decide the great questions at issue, the hon. and learned Gentleman should now accede to the request of the Irish Members and consent to the adjournment.

Mr. JUSTIN M'CARTHY seconded the Motion.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Kenny.*)

The ATTORNEY GENERAL (Sir Henry James) said, he thought the evident sense of the House was in favour of the Bill being read a second time. Hon. Members opposite asked for the adjournment of the debate on the ground that the Bill had not been sufficiently considered; but he would point out that a Bill in almost identical terms was read a second time in 1879. The Bill had, therefore, practically been before the country during four years. He had been challenged with the statement that a measure of great importance like this ought not to be passed through the stage of second reading in one night; but, in reply to that, he would point out that the Bill of 1879 was read in one night, so that there was nothing unusual in the proposal now before the House. He trusted the hon. Member (Mr. Kenny) would not press his Motion for adjournment. If the House were disposed to allow the second reading to be taken, he would not ask the House to decide that night upon the question of referring the Bill to the Standing Committee, which they would have a future opportunity of discussing.

Mr. SEXTON said, he thought the course which their proceedings had taken recently was very instructive. Since the division, hon. Members, jubilant in the possession of the new powers placed in their hands, had proceeded on their return from the Lobbies to a lively manufacture of "evident sense," and their cries were so loud and well-sustained, that it had been almost impossible for the hon. Member for Ennis (Mr. Kenny) to make himself heard. The moment the hon. and learned Gentleman rose, he referred to the "evident sense" of the House; but it was evident to him (Mr. Sexton) that something in the nature of a compact and arrangement had been entered into between the hon. and learned Gentleman and those hon. Gentlemen who not so prominently, but no less effectually, contributed to the proceedings of the House. It was asked by hon. Members on those Benches that further time should be allowed for the consideration of a great measure that was about to pass out of their hands, and be referred to a Grand Committee, on which Irish Members were but slightly represented. But the Government refused that indulgence; and all he (Mr. Sexton) could say was, that if they persisted in the extraordinary course they had taken—if they relied on the energy of their Supporters to force Irish Members into silence—they would find that the time of the House during the Session would not be thereby economized. Because, it was obvious that, if they were not allowed to discuss the measure at adequate length, and if they were met with delusive pleas in support of the refusal of the Government, they would have to discuss the Bill at considerable length in the Grand Committee. He said it was a delusive plea to put forward, that the question was not one of principle, but of clauses, for the Bill was such a monstrous innovation upon the liberty of the subject, that every clause of it contained some vindictive and sinister principle. It would, therefore, be necessary for them, in the Grand Committee, to take the Bill clause by clause, in order to assert as fully and adequately as possible the right of Irish Members to bring their views to bear upon public opinion in this country. He asked the hon. and learned Gentleman to consider whether it was likely, in the long run, to save the time of the

House, after one Sitting, to deprive them of the opportunity for further discussion? The hon. and learned Gentleman said that hon. Members on those Benches had simply repeated one another; but he (Mr. Sexton) had listened, for instance, to the speech of the hon. Member for Galway (Mr. T. P. O'Connor), and the charge certainly did not apply in that case, for that hon. Member had brought forward two arguments, which produced some confusion in the minds of the Law Officers of the Crown. Those hon. and learned Gentleman were unable to refer to the clause which his hon. Friend was dealing with.

Mr. THOROLD ROGERS rose to Order. He asked, whether the hon. Member for Sligo (Mr. Sexton) was relevant to the Motion before the House in the observations he was making?

Mr. SPEAKER: The hon. Member is travelling somewhat wide of the Question, and I must ask him to confine himself to the Question before the House.

Mr. SEXTON said, he claimed that the debate ought to be adjourned, in order that the hon. and learned Gentleman the Attorney General might, on Monday night, answer the speech of his (Mr. Sexton's) hon. Friend the Member for Galway. The only arguments, in the course of the debate, which had received any reply from the the hon. and learned Attorney General were the arguments which came from English Members. The arguments of Irish Members had been unanswered; and he (Mr. Sexton) said that to close the debate under such circumstances was nothing else than an injustice and a scandal.

Mr. O'DONNELL wished to say a few words on the reproaches which the hon. and learned Gentleman the Attorney General attempted to cast upon Irish Members for the manner in which they had intervened in this debate. He (Mr. O'Donnell) had taken pains to collect information as to the order in which hon. Members had spoken since Mr. Speaker left the House at the usual time, and he found that instead of being, as the hon. and learned Attorney General had suggested, in any way improper, the intervention of Irish Members in the debate had taken place at the only time at which they could intervene. He found that the argument of the hon. Member for Sligo (Mr. Sexton) was justified, and that there was an explanation due from the hon. and learned Gentleman.

Mr. SPEAKER: The hon. Member for Dungarvan appears to be reviewing the debate on the Question, "That this House do now adjourn." In so doing, the hon. Member is not in Order.

Mr. O'DONNELL said, he only proposed to reply to the speech which the hon. and learned Attorney General made on the Motion, "That this House do now adjourn," and not to review the debate. He had no desire to trespass on the time of the House, and no idea of going against the ruling of the Chair; but he thought he was entitled to reply to the speech of the hon. and learned Gentleman upon the Motion for adjournment. The time of the House until the intervention of Irish Members in the debate had been taken up by the speeches of two official Members, who took precedence over Irish Members, and by the speeches of English Members who had Motions and Amendments to move to the Bill. It was quite evident that it would be impossible for any Irish Member to claim the attention of the House in the face of the official Members on the Front Benches, and of the three or four hon. Gentleman who had Amendments to the Motion actually upon the Paper. The explanation of the hon. and learned Attorney General had been made before 9 o'clock, and from the time when Irish Members began to object to the Bill, there had been no reply to their questions from the Treasury Bench; and he (Mr. O'Donnell) said that on the principle of privilege and courtesy to the House alone, they were entitled to an official answer. Of course, this official answer could not then be given, and it was for that reason that the House ought to adjourn. The manner in which the hon. and learned Attorney General had misrepresented the action of Irish Members would, he thought, be usefully brought before the bar of public opinion; and then it would be found that their resolution, by the brute force of numbers, to suppress the opinion of Irish Members, would not redound to the cause or popularity of the Government. Ever since the Government Party seemed to have become aware that they possessed the number required to close the mouths of the Irish Party, they had not even listened to them with courtesy or attention; and that was an illustration of what they already knew by experience—namely, that when power was given to Liberals, they would use it in a brutal manner.

Mr. O'BRIEN said, that when the hon. and learned Gentleman the Attorney General reminded the House that the Bill had practically been read four years ago, he seemed to have forgotten that since that time the Prevention of Crime (Ireland) Act had been passed. He (Mr. O'Brien) thought the attitude of the hon. and learned Attorney General, and the conduct of hon. Members opposite, were a bad return for the forbearance shown by hon. Members on those Benches in reference to the Explosives Bill. This was certainly the first time, that, in a single night, a perpetual Coercion Act had been forced through an important stage, and passed on to a Committee in which the voice of Ireland would be practically suppressed. Every constituency in Ireland expected, and had a reasonable right to expect, that its Representative should be heard in protest against a measure of this description, which was but another blow to public liberty in Ireland. Not more than eight Irish Members had been heard against the Bill, and to their arguments not a single reply had been attempted, except by way of interruptions, which had turned out rather disastrously for the interruptors. If this was an attempt, before the protest of Ireland had been heard, and before the House had realized the infamy of this measure—if that expression was un-Parliamentary it was perfectly true—to suppress the voice of Ireland that night, all he could say was, that he was not sorry that the new system of coercion which this Bill was to inaugurate should have been commenced upon Irish Representatives.

Sir WALTER B. BARTTELOT said, he understood the hon. and learned Gentleman the Attorney General to say that if the House were disposed to read the Bill a second time that night, he would give hon. Members an opportunity of making any statement they had to make with regard to the Bill on the Question that it be referred to the Grand Committee. He (Sir Walter B. Barttelot) believed he was in the recollection of the House in saying that the exact words of the hon. and learned Gentleman were—

> "A full opportunity of making any statement they may please on this Bill on the Question that it be referred to the Standing Committee."

And, that being so, he thought it would be wise on the part of the minority to accept the suggestion made.

The Marquess of HARTINGTON said, he thought the hon. and gallant Member who had just spoken (Sir Walter B. Barttelot) somewhat extended the statement of his hon. and learned Friend the Attorney General. His hon. and learned Friend's statement was, that if the House were disposed to decide the question of second reading that night, the Government would not ask the House also to decide, on the present occasion, the question of referring the Bill to the Standing Committee. His hon. and learned Friend also said that the House would have another opportunity of discussing that question; but it was not possible for him to decide what was or would not be in Order. The hon. Member for Mallow (Mr. O'Brien), upon the subject of the adjournment of the House, said that every Member of the minority had not been heard. It was rather pushing the rights of minorities to excess to suppose that every Member of a minority could be heard against a measure to which objection was taken; and he (the Marquess of Hartington) asked the hon. Member to consider what would be the effect of that in the case of a measure opposed not by a small, but by a large minority. There was no intention whatever either to misrepresent the action of the Irish Members, or impute motives to them. All that was said was that the hon. and learned Gentleman the Attorney General waited for some time before he rose, and then only got up when he found that no one else showed a disposition to continue the debate. It was rather hard, therefore, to say that the hon. and learned Gentleman had not answered arguments addressed to the House. It was impossible for him to answer them, because they had not yet been made. ["Oh, oh!"] Well, he (the Marquess of Hartington) dared say, in anything he had to say, it might be alleged that he had not been present himself during a great part of the debate. That was true, because he had had no intention of taking any part in the debate on the second reading, and had not, therefore, thought that his presence would be of any use. He had, however, heard some of the speeches delivered that evening by hon. Gentlemen representing Irish constituencies; and he ventured to say that, having heard those speeches, he was of opinion that it was impossible that any of the questions raised in those speeches could be decided by an adjournment, or that any approach to a decision could be brought about by that means. So far as he had heard, hon. Members had dealt with matters of detail, which were subjects for discussion in Committee—either in the Grand Committee, or in Committee of the Whole House. Whether the details of such an important measure as this should be discussed in a Standing Committee or in a Committee of the Whole House was, no doubt, an important question; but the hon. and learned Gentleman the Attorney General had already intimated to the House that it was not the intention of the Government to ask them to go into that matter that night. Any arguments, therefore, which could be given why the details of the Bill should be considered in the Whole House rather than in the Standing Committee hon. Members would have an opportunity of stating. It seemed to him that nothing could be gained by continuing a discussion nominally on the second reading, but really on the details of the Bill.

Mr. LEAMY said, it would be impossible for the House to continue the discussion as to the desirability of referring this Bill to the Grand Committee that night; therefore, the suggestion of the noble Marquess was not a very valuable one. He (Mr. Leamy) did not think the hon. and learned Attorney General would persist in making his proposal at that hour of the morning, seeing that there was an Amendment to it. The noble Marquess had said that, so far as the Irish Members had taken part in the debate, it had been a discussion upon the details of the Bill. Well, to his (Mr. Leamy's) mind, it had been a second reading discussion. On many second readings he had heard speeches upon the details of Bills—in the case of the Prevention of Crime (Ireland) Act last year, for instance. He had heard very long speeches from hon. and right hon. Gentlemen on the details of the Bill during the second reading; and he had heard speeches that night upon clauses of this Bill which were so important, that if it was thought desirable to incorporate them into the law of the land it should be done in separate Bills, and not in a measure of this kind. Was he to be told, for instance, that the question whether an accused person should be examined himself was not a question of sufficient importance to discuss on second reading?

Mr. THOROLD ROGERS rose to Order. He wished to know whether the hon. Member was speaking to the Motion for Adjournment or not?

Mr. SPEAKER said, he did not feel called upon to interfere.

Mr. LEAMY said, he merely wished to point out that though the noble Marquess had stated that they were dealing with the clauses, it must be borne in mind that those clauses, or some of them, were such as ought to be embodied in separate Bills. Under those circumstances, the clauses ought certainly to be discussed, to some extent, on the second reading. He doubted very much whether the hon. and learned Attorney General had ever expected that the Bill would go through in one night. The hon. and learned Member had informed them that the Bill was read a second time four years ago, and that certain Members were not in the House at that time. Well, probably a considerable number of those hon. Members who were now sitting behind the hon. and learned Member were not in the House then; and probably the Bill was as new to them as it was to many of the Irish Members. If the debate were adjourned until Monday, it was probable that the second reading would be disposed of in a couple of hours, and that the rest of the evening could be devoted to the consideration of the question of referring the Bill to the Grand Committee. Let the Government assent to that proposal.

Mr. SHEIL said, it appeared to him, from what had fallen from the noble Marquess (the Marquess of Hartington), that if the Irish Members were driven to the necessity of putting the House to the trouble of a division, the hon. and gallant Member for West Sussex (Sir Walter B. Barttelot) would be bound to vote with them, as he had been under the impression that they could continue the present debate on the Motion to refer the Bill to the Grand Committee. The hon. and learned Attorney General had heard the hon. and gallant Member say that he believed he (the Attorney General) and the noble Marquess had given the House to understand that the debate could be so continued, and the hon. and learned Attorney General had not dissented. However, the noble Marquess had rendered it perfectly clear later on, having clearly pointed out that no such hope could be entertained. Under the circumstances, it was hard to see how the hon. and gallant Gentleman the Member for West Sussex could withhold his vote from the Irish Party. In previous Sessions, when the Government sought to do what they were attempting to do now, the Irish Members moved many Motions to prevent them, some of which were good, and some of which were frivolous. To his (Mr. Sheil's) mind, all of them now seemed to be good. He did not propose to repeat those Motions, but desired to let them go with the past, and to forget them; but he would put it to the House whether the state of the case now was similar to what it was in the old days? In the old days, the House might be kept up all night, until 9 or 10 o'clock next morning—as had happened within his own experience; but now a powerful engine was brought to bear on this line of proceeding—namely, the *clôture*, which, he was told, was threatened to-night. Was that, he asked, a fair opportunity at which, for the first time, to put the *clôture* in operation?

Mr. SPEAKER: I must point out to the hon. Member that he is not speaking to the Question before the House.

Mr. SHEIL said, his reason for asking the House to agree to the adjournment was simply that the Bill had not been properly discussed so far as the Irish Members were concerned. The noble Marquess had told them that he had not been present to hear the whole of the debate, although he had been present long enough to hear all the Irish Members had to say on the principle of the Bill. He had said, his reason for refusing to assent to the adjournment was that the Irish Members had not used arguments which the House should dwell on. Then, if that was so, they might be anxious to have an adjournment, so that they could advance arguments that the House could dwell on. Was it wise that the adjournment should be refused on the present occasion? The Bill was one of extreme importance; and although the speeches which had come from the Ministerial side had been strongly in favour of the second reading, they served to show how excessively involved were the questions which arose in it.

Question put.

The House *divided*:—Ayes 15; Noes 131: Majority 116.—(Div. List, No. 57.)

Main Question put, "That the Bill be now read a second time."

The House *divided*:—Ayes 132; Noes 16: Majority 116.—(Div. List, No. 58.)

Motion made, and Question proposed, "That the Bill be committed to the Standing Committee on Law, and Courts of Justice, and Legal Procedure."—(*Mr. Attorney General.*)

Motion made, and Question, "That the Debate be now adjourned,"—(*Mr. T. P. O'Connor*,)—put, and *agreed to.*

Debate *adjourned* till *Monday* next.

House adjourned at half after
Two o'clock.

## HOUSE OF LORDS,

### *Friday*, 13*th April*, 1883.

MINUTES.]—Public Bills—*First Reading*—Stage Plays in Aid of Charities * (32).
*Committee—Report*—Army (Annual) * (25).

### MESSAGES FROM THE QUEEN.

### BARON WOLSELEY OF CAIRO.

*Delivered* by the Earl Granville, and read by the Lord Chancellor, as follows:

"Her Majesty, taking into consideration the important services rendered by Garnet Joseph Lord Wolseley of Cairo, General in Her Majesty's Army, in the course of the recent expedition to Egypt, and being desirous to confer some signal mark of Her favour for those distinguished services, recommends it to the House of Lords to enable Her Majesty to make provision to secure to the said Garnet Joseph Lord Wolseley of Cairo and to the next surviving heir male of his body a pension of two thousand pounds per annum."

Ordered, That the said Message be taken into consideration on *Monday* next.

### BARON ALCESTER.

*Delivered* by the Earl Granville, and read by the Lord Chancellor, as follows:

"Her Majesty, taking into consideration the important services rendered by Frederick Beauchamp Paget Lord Alcester, Admiral in Her Majesty's Navy, in the course of the recent expedition to Egypt, and being desirous to confer some signal mark of Her favour for those distinguished services, recommends it to the House of Lords to concur in enabling Her Majesty to make provision for securing to the said Frederick Beauchamp Paget Lord Alcester and to the next surviving heir male of his body a pension of two thousand pounds per annum."

Ordered, That the said Message be taken into consideration on *Monday* next.

## AGRICULTURAL LABOURERS (IRELAND).—RESOLUTION.

THE EARL OF DUNRAVEN, in rising to move—

"That in the opinion of this House it is desirable to legislate on behalf of agricultural labourers in Ireland so soon as the condition of the country permits such legislation,"

said, he had no desire to press upon Her Majesty's Government to re-open the Irish Land Question at that present moment; but he could not help feeling that the condition of the agricultural labourers in that country demanded the most careful and earnest attention on the part of the Government. They formed a large body of men, whose interests ought to have been consulted in any legislation affecting the classes concerned in agriculture, but who had been, practically speaking, entirely neglected. Not only had they reaped no benefit from the Land Act of 1881; but, if anything, they found that their position had changed for the worse since the passage of the Act. They had, in that respect, a grievance that would call for the immediate attention of the Government under ordinary circumstances; but the circumstances of Ireland, he was sorry to say, were not ordinary; they were extraordinary and full of peril, and it was of paramount importance that the country should be allowed an opportunity to settle down into a more natural and healthy condition. Rest and quietness, he believed, were what was wanted at present above all other things. At the same time, he hoped to receive from the Government either a distinct proof that his views were erroneous; that the condition of Irish labourers was not at all what he believed it to be, and that they required no legislative assistance; or an assurance that the Government were carefull considering the complaints of the labourers, and would endeavour to remedy their grievances whenever, and as soon as, the circumstances of the country would permit. The Land Act of 1881 was an Act affecting landlords and tenants, as far as all its principal provisions were concerned; and it might be urged that labourers had no right to be dissatisfied, because they were practically excluded from it. But when they interfered with such a matter as the tenure of land, it was impossible to confine the effects of interference to individuals or classes. More especially was that the case in Ireland, where there was no real distinction between agricultural labourers and the majority of the tenant farmers. The Report of the Bessborough Commission said—

"The Irish agricultural labourer and the Irish farmer are not two classes, but one. The labourer is a farmer without a farm."

He (the Earl of Dunraven) believed that to be a very true description. The small farmer and the labourer were the same in race, creed, and class; they were animated by the same sentiments, ambitions, and prejudices; and they were similar in intelligence and education. They were unlike only, in so far as the labourer was infinitely the worse off of the two, and that difference had been accentuated by the operation of the Land Act of 1881. Compare the position of the farmer holding a few acres with that of the landless labourer—landless as far as the law was concerned, but, in reality, the tenant of a tenant. The farmer now enjoyed fixity of tenure of his little holding, and held his land at a rent which might be fair or unfair, but which was, at any rate, less than the rent he had been accustomed to pay, a great deal less than what a competition rent would come to, and infinitely less than the rent he probably exacted for the small portion of his holding held of him by the labourer as an allotment. An occupier could not be disturbed so long as he paid his rent; and, even if he failed in that respect, he could not be turned out under six months' notice, and he had another six months during which he could redeem his holding. In the meantime, he could assign it to whosoever he pleased; and if he had to leave, he might get the best price he could for his goodwill and what he called his improvements. The labourer, on the other hand, could be put out of his cabin and potato plot at any Petty Sessions Court on four days' notice, without cause being shown, and without the possibility of redress. The farmer could have a fair rent fixed for him, if he was dissatisfied; but he might charge what he pleased for the labourer's acre or half-acre, and too often he did charge a most exorbitant rent. The Irish labourer had always been very poorly paid, fed, clothed, and housed. In 1870, a Report was made to the Local Government Board in Dublin, by the Poor Law Inspectors, on the condition of agricultural labourers. The Report embraced various counties in every Province of Ireland; and the opinions of the Inspectors, as expressed in it, were almost identical in all cases. They said that wages had doubled since 1849; but, according to the Report, the average daily wages of an able-bodied man was still only 1*s.* 3*d.* to 1*s.* 6*d.* a-day; and, although wages had increased, it was doubtful whether labourers were much better off than they were 34 years ago, owing to the increased cost of living. Besides, the average rate of wages calculated over the entire year could not be taken as a fair test, because wages ran as high as 4*s.* a-day during harvest time and in the spring; and, in some cases, labourers were precluded from reaping the benefit of these comparatively high rates of wages, owing to the fact that they held their cottages and allotments on consideration of their giving 60 days' labour during the year for nothing, at any time the farmer might select. The Inspectors further reported that the young men were anxious to emigrate, and that discontent was universal. Since that Report was presented, remedial measures had been passed for Ireland; but the discontent of the labouring class had not diminished. Why should it, when legislation had overlooked them? In fact, it would have been strange if it had, for their condition had never been satisfactory. They were always badly off enough; but it seemed to him (the Earl of Dunraven) that they had been worse off than ever since the Bill of 1881 became law. They were worse off in three respects. In the first place, because landlords did not, and could not, employ as much labour as they formerly did. That might be a comparatively small matter; but still it had an appreciable effect. Secondly, because landlords could no longer afford them any protection whatever against harsh treatment on the part of tenant farmers. Thirdly, because the natural hardships of their lives had been embittered and largely intensified by a keen sense of injustice. They had as much to do, they said, with obtaining the Land Act as anybody else, and it was hard that they should be practically excluded from any share of the benefits to be derived from its operation. He did not wish to commit himself to the opinion that the authors and supporters of an agitation should in any way be rewarded; but, as a matter of fact, some of them had been, while others had not. It must not be forgotten that a Cabinet Minister, speaking in public some time ago, declared that the agitation was good, because the Land Act could not have been obtained without it. But the Land Act had concerned itself solely with the welfare of one class that helped by agitation to obtain it. Was it strange then, or to be wondered at, that under these circumstances, and in view of what was publicly stated by a Member of the Cabinet, another class, that had an equal share in obtaining the Act, should feel aggrieved because it was given no share in the results? Labourers remembered very well the arguments that were so eloquently urged during the discussions on the Land Bill about the injustice of allowing a tenant's improvements—his reclamation of waste land, for instance—to be confiscated through a rise of rent; and they knew very well that the men whose hands wrought a large proportion of those improvements had not gained so much as the value of a blade of grass in them. He was not going to enter into the question as to whether it was wise or unwise to allow a landowner to let land at a low rent, on consideration that a certain quantity was to be reclaimed, and that he was to be paid by an increased rent in the future. That question was settled on the general principle that the tenant was to reap the full benefit of his improvements. That rule might be just; but, if so, why did it not apply to those who had actually made the improvements? A good deal of waste land was brought under cultivation by the manual labour of the tenant; but a good deal also was reclaimed by the hands of the labourer. It was not an uncommon thing for tenants who had mountain land attached to their holdings, for which they paid a nominal rent, to let an acre, or perhaps two or three acres, to a labourer for three years free of rent, on the stipulation that he reclaimed the land. The labourer did all the work; he carried the limestone up the hillside, broke and burnt it; he cleared and grubbed up the ground, dug it, rendered it fertile, and he took one crop of potatoes off it, and handed it over to the tenant, to whom Parliament had given the right to enjoy the fruits of another man's labour for ever. Did they suppose the labourer saw no injustice in that law? He was at the mercy of his employer. He reclaimed his land for him, and was paid by a crop of potatoes! Were terms like those ever exacted of tenants by their landlords? And yet it was considered necessary to interfere between them. As he (the Earl of Dunraven) had before remarked, the labourer was frequently compelled to give 60 days' labour without wages, at the time of year when labour was most valuable, as payment of what was often an exorbitant rent, and was not allowed to compound by a money payment. Were tenants ever so evilly treated by landlords? Yet they had legislated for them. He was liable to be turned out of his house, and off his plot of ground on a few days' notice, and he had no redress. Tenants were never in such an insecure position, and yet it was thought necessary to give them greater security. If these were hardships before the Land Act of 1881, they were doubly hard now, seeing that landlords could do nothing to protect the labourers; and the inequality between their condition and that of the small farmers was immeasurably greater than it was. That Act had done much for the farmer and nothing for the labourer. It was true, he was aware, that in the Act passed last Session to amend and extend the Land Act, there was supposed to be provision made for the building of suitable labourers' cottages, and the allotment of plots of ground not exceeding half-an-acre in extent. The Land Commissioners might also, in cases where a fair rent had been fixed between landlord and tenant, order the tenant to improve existing cottages or build new ones, and they might order him to assign to any such cottage or cottages an allotment not exceeding half-an-acre in extent, and the Commissioners might fix the rent; but, practically speaking, those provisions had been of no effect whatever. Some orders might have been made under that rule; but it was not sufficient to merely make an order. He should like to know how many orders had been carried out? In theory, the provision sounded very fair; but in practice, and taken in connection with the regulations under which money was advanced by the Board of Works for building cottages, it was a dead letter. It afforded no protection to the labourer. In the first place, there was some considerable expense involved in attending the Courts and obtaining an order—an expense the labourer could not afford. Moreover, the Courts were not constantly sitting, the labourer's time was not at his own disposal, and there were many other difficulties in the way. Those were minor considerations. The one real and fatal obstacle was that the unfortunate labourer was a mere weekly tenant, and he dared not make use of the provisions of the Act to move the Courts to interfere in his behalf; or, if an order was made, he dared not take the necessary steps to compel the tenant to carry it out. What use was it for him to appeal to the Court to make an order, directing the farmer to give him an allotment at a fair rent, when, if he opened his mouth, he could be turned out of the cottage and off the allotment on four days' notice at the nearest Petty Sessions Court? The amendment to the Land Act did not mend the matter one atom; it was almost an insult to the men it was intended to benefit. It should be borne in mind that he (the Earl of Dunraven) was not speaking of a small number of men, and, even if he were, their case should be attended to, for justice ought not to stop to count heads; but the matter he had called the attention of the House to affected a large body of men. He had seen the number of agricultural labourers in Ireland estimated as high as 600,000 and as low as 400,000. He believed the lower estimate to be the more correct; and he thought that deductions must be made even from that estimate, to account for the sons of farmers who laboured on their fathers' farms, and who were included among labourers. But, in any case, the numbers were very large; and when they considered that many of these labourers were married, and generally were in a position not to feel the least ashamed to speak with their enemies in the gate, he did not think he should be overstating the case in assuming that not far short of 1,000,000 of human beings were deeply interested in the question. They could not do much to help themselves, because they had no votes; therefore, they could not force the attention of a Party by influencing the results of elections. All they could do, then, was to rely upon the wisdom and justice of Parliament and upon the kindness and forbearance of the tenant farmers, who were their absolute masters, or resort to violence. He need hardly say he sincerely hoped the latter alternative would not be resorted to. It was, of course, to the true advantage of farmers to treat their labourers with kindness and consideration; and, no doubt, many would do so on that account, and on account of a natural and proper love of fair play and just dealing. But facts were stubborn things; and there was, unhappily, no difficulty in finding facts to prove that, in many instances, farmers exacted the uttermost farthing, and took every advantage afforded by the strength and security of their position and by the weakness and insecurity of the position of the labourer. Such was the state of the case in the present; but they must look to the future also. As time went on, and the effect of the unlimited, unmitigated competition for land allowed and encouraged by the Land Act of 1881 made itself felt, the tenant's margin of profit would become less and less, and he would be driven to bear harder and harder upon the class below him. He dared say he should be told that he took a morbid view of the situation; but he must submit to be considered morbid, if the only alternative was to borrow the rosy-tinted glasses which the Government used when they directed their gaze across St. George's Channel. The Government might possibly rely upon a hope that labourers would be benefited by the increased prosperity of farmers; but even supposing that the Land Act did eventually and permanently increase the prosperity of tenants—which he denied—he did not see any solid ground for such hopes. The Report of the Bessborough Commission concluded with a hope that—

> "The tranquillity which will follow upon a well-considered measure of land tenure reform will be a blessing alike to all classes, and especially the poorest."

There was not the faintest sign to show that the Land Act had proved a blessing to the poorest—that was, to the labourers; on the contrary, there was not wanting evidence, as he had endeavoured to prove, that it had done them more harm than good. Perhaps it was too much to expect that such a measure as the Land Act could produce results anticipated from "a well-considered measure of reform." Those who expected to gather grapes of thorns or figs of thistles were apt to be disappointed. If anything could be done to improve the condition of agricultural labourers in Ireland it should be done from motives of both justice and prudence. The same Report to which he had already alluded twice said—

> "The subject (that is, the condition of the labourers) appears to demand speedy consideration for the sake of the country as well as for the labourers themselves."

As yet no consideration had been given to this matter, or, at any rate, no satisfactory results had ensued. He had no desire to deprive the tenant farmers of anything they had obtained, for he did not, in the slightest degree, grudge them the rights and privileges the law had given them. All he wanted was to see the law sufficiently extended, if it were possible, so that some slight measure of protection might be afforded to the labourers. The question what ought to be done was a very difficult one for him, at any rate, to answer. It was a complicated problem; for as the agricultural question, as far as landlord and tenant were concerned, became, in the main, a matter of rent, so, also, it became principally a question of wages as far as the tenant and labourer were concerned. As long as the employer commanded the market, it was difficult to secure to the labourer the enjoyment of benefits intended for him. The State, however, had thought it fit to interfere in one case, and fix rents, thereby introducing a dangerous precedent, to his way of thinking; and they must not be surprised if some day they were called upon to fix the wages also, for when once the State interfered to determine questions of value, which had hitherto been settled privately and freely by individuals, it was difficult to find a point at which it could logically hold its hand, and refuse to interfere. He should not enter upon the subject of the reclamation of waste land or any kindred topics; but if any such scheme was taken in hand by the State, the claims of the labourers should not be forgotten. Neither would he embark upon the sea of controversy, as to the relative advantages of Union rating, or rating by electoral division, or as to whether the present property qualification for Poor Law Guardians was advisable. Some good might possibly be done by reconsidering these matters; but they were too important to be incidentally discussed. Three things, at any rate, he thought, ought to be done; indeed, they ought to have been attended to during the passage of the Land Bill of 1881 through Parliament. He thought that in cases where a rent had been fixed for a farm employing a labourer or labourers, a half-acre or acre allotment should be given to each labourer or family at the same rent that the tenant paid. The tenant should have no right to ask a farthing more. He should have no power to recover a farthing more. Some steps should also be taken to provide better house accommodation; and when a tenant turned a labourer out the labourer should have a right to compel him to show cause. It would, of course, be wrong and absurd for a labourer to continue to occupy a cottage and allotment, if he failed to give reasonable satisfaction to his employer, or ceased to work upon the farm. That was not his (the Earl of Dunraven's) intention; it would defeat the objects he had in view. But the labourer should have some protection against the caprice of his employer, and against being ejected for refusing to give his labour for nothing, or having to pay rent a great deal higher than that which had been adjudged to be exorbitant as between landlord and tenant. He thought good could be done in that way. Beyond that he (the Earl of Dunraven) did not feel he was called upon to make suggestions. It was not his duty to do so. The responsibility lay with the Government; it was for them to devise a remedy. They had interfered between the different classes engaged in agriculture in Ireland—a most dangerous undertaking. They had legislated in deference to clamour, and with a view to satisfy one set of men. In doing so, they had, he believed, rendered dissatisfied another set of men, inferior to the first, in so far as they were powerless to affect a majority in the other House of Parliament, but equal in intelligence and numerically strong. The responsibility of finding a remedy for that dissatisfaction, therefore, devolved upon the Government. He should have thought that an inquiry into this matter would have been useful; but he saw no object in suggesting one, as the Prime Minister said, last Session, that the Government had all information, and that the researches of a Royal Commission could produce no good results. He hoped that, as the Government had all information at their disposal, they would neither fail to give it proper attention, nor neglect to make good use of it. There was no agitation at present in Ireland on this question; and it would be well, for once, to anticipate agitation. He could not but fear that there was a danger that, in the future, a serious conflict of interests might arise, based on something more solid than the political aspirations and feelings that brought about the late agitation. He trusted Her Majesty's Government might be able to see the condition of Ireland as it was, and not as they wished it to be; and he most earnestly hoped that the danger he dreaded might be averted by careful consideration and wise and timely action on their part, as soon as ever the circumstances of Ireland permitted. It was in that hope he now moved the Resolution of which he had given Notice.

*Moved* to resolve, "That in the opinion of this House it is desirable to legislate on behalf of agricultural labourers in Ireland as soon as the condition of the country permits such legislation."—(*The Earl of Dunraven.*)

LORD ORANMORE AND BROWNE said, that the subject might be more advantageously considered if their Lordships had before them reliable statistics of the number of these agricultural labourers. The noble Earl had stated that there were 400,000 labourers in Ireland, with something like 1,000,000 persons dependent upon them; but the noble Earl had given no authority for that statement, and in the West of Ireland, except in the small towns, the small landholders and their sons were the labourers. Again, the noble Earl had seemed to argue that, because freedom of contract had been done away with between the landlord and tenant, the same principle should be carried out between the farmer and the labourer. He agreed with the noble Earl that that part of the Land Act which touched the labourers had as yet fallen a dead letter; but he did not think it would be desirable for some years to come to make any change in the Land Act, for the disturbances which had been going on in Ireland must go on until the tenants saw some settled line would be adhered to. If Her Majesty's Government were obliged to carry out this principle of compensation on the same lines as in the case of the tenants, they would have a very heavy business on hand, because the next few years would show a vast number of landlords in an absolute state of ruin. As it was, all the poorer landlords were in a pitiable state; but as to what number would be ruined it was impossible to tell. The case of the smaller tenants in Ireland was always exaggerated, for this reason —that the very small tenants evidently did not attempt to live on their small holdings, but were migratory labourers. He had seen a calculation made in a speech in "another place" that £400,000 was earned annually in this country and taken over to Ireland. Most of these very small tenants lived partly on his holdings and partly on money earned in this country, and was better off than was supposed, for he had a house and five or six acres of land during the whole year for about £6; whereas, if he remained in England, he would not get two rooms for double the money he paid for his house and holding.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, the noble Lord was perfectly right in saying that there was a large class in Ireland which could not be reckoned as a purely labouring population, but who occasionally earned something by labouring for others. But, although that was the case, he was quite unable to agree with the noble Earl who made the Motion when he said that the labouring class and the tenant-farmer class were practically the same. There was an expression which the noble Earl had quoted from the evidence before the Bessborough Commission, which he (Lord Carlingford) did not quite understand; but, after making allowance for a large class of small holders, there was a large and important class of real labourers; and, unfortunately, a very large proportion of them could be nothing but labourers, "jobbing" labourers, as they were called, from the circumstance that they did not live upon the land, and had been, by a most unhappy series of events, driven and crowded into the small towns and villages of Ireland. As to that labouring class, he would like for a moment, before he followed the noble Earl a little through his remarks, to say something upon the brighter and better side of the question. It might, after all, be safely stated that, low as the standard was, the condition of the labouring class in Ireland, at all events in many parts of Ireland, had improved. The Government had every reason to believe that, low as the state of the labourer was, it was better than it was 20 or 30 years ago. He did not wish to treat things in a *couleur de rose* fashion; but it was still a satisfaction to recognize what he believed to be the truth of the case, which was as he had stated. It had been ascertained by the Poor Law Inspectors 10 years ago, and repeated by the evidence before the Bessborough Commission, that wages, at all events, had greatly risen in Ireland, constantly 50 per cent; and it was quite clear the cost of living had not increased in the same proportion. But the fact remained, after all, that in many parts of Ireland, at this moment, the condition of the labourer was a very deplorable one indeed, and one which called for attention and for every effort that could be made by the Government or the Legislature to deal with it. His noble Friend considered it a great reproach to the land legislation of 1870 and 1881 that it had not dealt efficiently with the condition of the labourers. He (Lord Carlingford) had read many speeches on the condition of the Irish labourer, in which the first thing that the speakers availed themselves of was the opportunity of attacking the Land Act. He did not imply for a moment that that was in the mind of the noble Earl; but he denied the justice of these attacks. He admitted that the Land Acts of 1870 and 1881 had done but little for the labourer; but they had been very careful to take care that the landlord should not, by the operation of these Acts, be crippled or hampered in anything he might choose to do for the labourer, and enabled him to provide for labourers' houses, and so on. The latter Act also made those provisions which his noble Friend treated with great contempt, but which would not be without the effect of providing a considerable number of improved labourers' houses in those districts where the Act took effect for the benefit of the tenant. He did not mean to say that the Act of 1881 had done much directly for the benefit of the labourer; but it must benefit him indirectly by stimulating the industry of the farmer, and increasing the employment given. But why should his noble Friend think that an Act for the reform of land tenure should necessarily deal with the question of labourers, their wages, and their houses? The two questions were totally distinct; the things were not *in pari materiâ;* there was a difficulty in dealing by direct legislation with the condition of the labouring man—a far greater difficulty than stood in the way of dealing with the tenure of land. The tenure of land was a subject of elaborate laws, which were capable of being amended. The evils under which the labourers in Ireland suffered were very different from those affecting the tenure of land. There had been legislation affecting the tenant farmers in this country, and there would be more; but it did not touch the labourers. He was happy to believe that the condition of that class in England had greatly improved; but that improvement had arisen, not from direct legislation bearing on their wages, or even on their houses, but from many causes, such as the increase of the prosperity of the country, and the reform of the Poor Law system. They had the Agricultural Holdings Act, and they were going to have a Tenants' Compensation Act. They had had, further, an important inquiry into agricultural distress in this country; but the condition of the labouring man had not been treated as part of that subject—it had, in fact, been treated as a totally different question from that of the tenure of land. As to the direct remedies for the unhappy condition of many of the Irish labourers, he believed that question resolved itself almost entirely into a question of their habitations. He was not aware that legislation could help them in the matter of wages. It was not, indeed, so much on the question of wages that the Irish labourers had cause for complaint, as on the want of constancy of employment. What should be sought for was the improvement of their dwellings, which, in many cases, were shameful, miserable, and disgraceful. It was impossible to exaggerate the miserable description of house in which the Irish labourers often had to live, though the inhabitants of many of them were not in such a bad condition as the dwellings seemed to indicate, for it was not uncommon to see well-dressed men and women issuing from such hovels. Still, the labouring classes were in a very unsatisfactory condition; and he hoped that means might be found to improve it. Possibly the principle contained in a well-known clause in the Land Act might be carried further; at any rate, if it were carried further, the tenant farmer would have no right to complain. The man on whose behalf the former legal rights of the landlord had been seriously interfered with would have no right to complain if his rights were, in turn, interfered with on behalf of the labouring man. In the case of the labouring man security of tenure was not the thing required. It was impossible it should be so. In the case of a farmer who had invested his capital, his industry, and his hopes in the land, security of tenure was of vital importance. But in the case of the labouring man security of tenure was not the first consideration. His property was his labour; and it might be necessary for him to carry it from one place to another. It would be impossible to require a tenant farmer to provide a house for his labourer with fixity of tenure. It was absolutely necessary that the farmer should have the house for his labourer for the time being. If it was necessary for him to change his labourer he must have the use of the house for the purpose of providing a dwelling for the new labourer. Having said so much as to the efficacy of direct legislation, he would say that he had a strong belief in the possibility of much being done in the way ot indirect legislation. There were many ways in which improvement might take place in the condition of the labouring classes. There was, in the first place, emigration. He would not go into that question on the present occasion; but it was obvious that emigration, by relieving the congested districts in Ireland, would lead to an improvement in the condition of the labouring men that remained. Then there was the consideration which the noble Earl regarded with a good deal of scorn—namely, the effect in the future on the farmers themselves of the improved tenure they would acquire under the Land Act. He believed that improved tenure would have the effect of increasing the expenditure of the Irish tenant farmers on their farms, and that could not but be for the benefit of the labouring man. In his opinion, that would have a large effect in improving the condition of the labourer. But there was another direction in which he thought the condition of the Irish labourer might be improved, and which his noble Friend avoided discussing—namely, an alteration in the present law of rating in Ireland. The present law of rating, under which small areas were rated, had had a lamentable effect on the condition of the labourers. It had its origin in the great Irish Famine of former years, the result of which had been to burden the landowners with crushing poor rates. The effect of that law had been to drive the people off the land into the towns and villages; and it was established, by the evidence taken before the Bessborough Commission and otherwise, that the consequences had been most unfortunate. The labouring population being thus driven to take up their abode in the towns crowded with wretched hovels, living often at long distances from their places of work, the effect upon them was disastrous, both physically and morally, and he would add politically, for it led only to misery and discontent. No change of an indirect kind would be more certain to contribute to the improvement of the labourers than providing means by which they could have decent habitations in the country and within reach of their work; but this was not possible under a system which induced the landowners and ratepayers to drive off the labourers from the present small areas of rating, and so relieve themselves from the rates. He believed that the effects of that change in the law—which he trusted was not now very far distant—would be of much more importance than many who had not studied the subject imagined. As to direct legislation for the purpose of raising the condition of the Irish labourers, which the noble Earl so much desired, but of the nature of which he had not given the faintest indication, he could not think that he would ask their Lordships to adopt a Resolution which left them so absolutely in the dark on the subject. He trusted that the noble Earl would be content with the effective statement he had made, and with the assurance on behalf of the Government that they fully felt the importance and seriousness of the question, and that it would receive careful attention on their part.

Earl FORTESCUE said, that it was a matter of notoriety that the condition of the Irish labourers was most unsatisfactory. In the Land Act of 1870 there were two or three provisions for the benefit of the wage-earning class in Ireland, enabling landlords to take land for the purpose of building cottages for labourers and giving them allotments; but those clauses were no part of the original Bill introduced by the Government, and were inserted in its passage through Parliament. In 1881, as in 1870, while the Government professed, in general terms, the greatest interest in the labouring class, they omitted entirely any legislation for their benefit in the Act when they introduced it, and inserted none that was not subsequently pressed upon them. It appeared to him that in a Bill dealing with tenancies there was nothing inconsistent in the idea of including provisions with regard to either dwellings or allotments to be rented by labourers. He did not see why it should not have been provided that when a tenant farmer applied to the Land Commission to fix his rent, he should only get the benefit of orders made in his favour till after he had complied with the orders made upon him as to building or repairing cottages for his labourers, on condition that the rent for these and for their allotments was not to exceed a certain sum. With all their fair professions, the Government had disregarded the interests of the labouring classes; and the impression left on men's minds was that their claims were neglected because they were not enforced by intimidation and outrage. From the time of the Clerkenwell explosion down to that of the Convention which had recently been so cavalierly repudiated by the Boers, they had, unfortunately, seen that the arguments which had most weight with the Government were those which were enforced by something like intimidation. So much with regard to the past; but it was no answer to the arguments now brought forward to say that the condition of the labourers generally was better now than it was 30 years ago. The question was, whether the condition of the Irish labourers now was better than it was before the Government commenced their course of beneficent and generous legislation by conferring benefits upon one class at the expense of another. As to the rose-coloured prospects now held out by the noble Lord on behalf of the Government, he must say that all prophecies made by different Members of the Government with regard to Ireland had been so completely falsified by experience that he attached very little value to them. The Prime Minister had publicly stated that land in Ireland would eventually realize much more than 20 years' purchase. The experience of public sales showed that the Court actually in one case had been obliged to accept no more than 11 years' purchase. The noble Lord himself had said that the Land Act would benefit landlords generally—indeed, all except a few bad ones. But, whether as regarded letting or selling, the value of the land had been enormously depreciated. The best source to which the wage-earning classes in Ireland could look for amelioration of their condition was the abundance of capital and the readiness of investors to embark in industrial enterprizes. Any want of confidence, however, effectually drove capital away from a country; and the distress and dissatisfaction which had latterly prevailed in Ireland seemed to him, unless a change was brought about before long, certain to deteriorate the condition of the wage-earning classes in that country, by diminishing the amount of employment to be given. Nothing could more effectually injure the wage-earning classes in Ireland than a diminution in the demand for labour; yet that lamentable state of things was precisely that which, ever since the accession to Office of Her Majesty's Government, had been steadily increasing in Ireland.

Lord GREVILLE said, he was of opinion that if noble Lords would read the Report of Mr. Shaw Lefevre's Committee they would not be long in coming to the conclusion that a substantial increase of small proprietors would give solidity to the social system and promote industry and prosperity amongst the peasantry of Ireland. The noble Lord said he had no particular remedy to propose—that it was the duty of the Government to devise remedies; but he could not help thinking that it would not be out of place for noble Lords to suggest to the Government any points that occurred to them, with the object of benefiting the labouring classes of Ireland. He would venture, then, to remind the Government that there were large tracts of waste and bog land in Ireland which might be reclaimed. That it could be reclaimed they knew on the authority of Mr. Mitchell Henry, M.P., who had accomplished the work, and had rescued land which was now worth £1 an acre. Now, if this could be done by a private gentleman, surely the State could do much more in the same direction. On the land thus reclaimed labourers' cottages could be built, and if pieces of land were given to them round their dwellings the process of reducing the earth to a state of cultivation would still further go on. Thus these small labourers in their numbers would be able to do what large landlords could not do; for it was only by the industry and sweat of the brow of the labourer that land could be reclaimed. Again, Mr. Mitchell Henry had urged the Government to assist him in the construction of a small railway over his estate—not for the benefit of himself, but for the benefit of the neighbourhood. That was, to his mind, a very important thing; for there was no doubt that about one-third of the produce of Ireland was lost for want of proper means of transit—such as railways and canals. Once more—what was wanted was that engineering skill should be directed to the important work of drainage. Let them take the case of the Shannon. The operations there would be too vast for any private individual to undertake; but if engineering skill could only be brought to bear on the spot it would at once lead to the employment of a large amount of labour. There was plenty of work to be done if they could only get someone to undertake it. It was impossible to appeal to landlords; but the Government might do much in that direction, and he trusted they might be able to see their way to take some action in the matter. He would like to know why the Irish Militia should not be embodied and put on service in this country? It would withdraw a large number of adults from the surplus population, and, at the same time, furnish the Army, if bounties were offered, with good and efficient recruits. The questions he had ventured to suggest should be looked to and duly considered;

and he was convinced that they would receive careful attention at the hands of Her Majesty's Government, which had already done so many great things for Ireland.

VISCOUNT MIDLETON said, he considered this a most important question for the Irish landlords. As an Irish landlord, he could say that in many parts of the country the labourers were no better housed than they were a century ago. The first question that arose was, who were to build cottages for them? and the second, where was the money to come from? At one time, if a tenant desired to build a labourer's cottage, he applied for an order for the material and superintended the construction himself. The result was that a comfortable cottage could be built of excellent material for £60 or £70. Now, however, matters were changed. Though certain powers had been given to the landlord with a view to the erection of cottages, the circumstances in which he was situated with regard to his property made it extremely difficult for him to avail himself of those powers. Then tenants were often averse from having labourers' cottages on their holdings. They preferred to procure their labourers from the neighbouring villages and towns, thinking that when labourers lived in close propinquity to their farms a good deal of trespass and pillage occurred. His experience was that a really good cottage now cost £100; and as an agricultural labourer could ill afford to pay 2*s*. a-week for rent it was hopeless to expect to receive an adequate sum as interest on the money expended. The difficulty could only be met if there was a hearty co-operation between landlords, landowners, and occupiers. That happy condition, unfortunately, did not exist at present. In places where the Commissioners had desired farmers to build cottages for their labourers that direction had not been carried out; in no case had the order been complied with. Either the clauses in the Land Act dealing with that subject were defective, or they had not been properly put into effect. He considered that the terms offered to landlords for building cottages were liberal and encouraging; indeed, repayment in 35 years, or 5 per cent, was a very fair proposal; but the difficulty now existing was that the landlord was a mere rent-charger. He hardly knew what remedy to suggest, for as wages increased labourers began to appreciate the disadvantages of bad cottages. When any class had arrived at the conclusion that their houses were not what they ought to be, it was not surprising that they were not contented. They were not contented because they had no reason to be so. He agreed that the time was an extremely difficult and inopportune one in which to ask the Government for legislation, and that it would be wiser to postpone to a future Session any idea of dealing with it effectually; but he earnestly hoped that the attention of the Government would not only be directed, but fixed, upon that subject, because on it rested the future tranquillity of Ireland. The labourers were in excess of the farming class in numbers. The farming class had been substantially benefited; for the labourers nothing had been done. The labourers, with their present education, well understood their position; and when the franchise was extended so as to reach them they would show their resentment at this neglect.

THE EARL OF DUNRAVEN said, he thought that if the Government had been able to agree to his Resolution it would have done good; but as he had no intention of forcing his opinion against that of the Government and the House, he would be willing to withdraw the Motion after the discussion which had taken place. With reference to what the noble Lord (Lord Carlingford) had said as to the connection of the labourers with the subject of fixed tenure, all he (the Earl of Dunraven) had wished to remark was that the Irish labourers were naturally incensed that so much had been done for the tenant farmers and nothing for them. He did not suggest that labourers should be given fixity of tenure. That would defeat his object. His ideal was that a labourer should have a decent cottage and a plot of land at a fair rent on, or as near as possible to, the farm on which he worked. Fixity of tenure would not bring that state of things about. It would be absurd to give a labourer a cottage and allotment on a farm or in a neighbourhood in which he did not work. But he saw no reason why the labourer should be protected against mere capricious eviction, and against the imposition of an unjust rent; and he thought that in no case should a tenant be allowed to ask a larger rent for the labourer's allotment than he himself paid for the land.

Motion (by leave of the House) *withdrawn.*

## ARMY (AUXILIARY FORCES)—MILITIA CLOTHING.

### QUESTION. OBSERVATIONS.

THE EARL OF LIMERICK asked the Under Secretary of State for War, Whether paragraphs 883. and 885. of Militia Regulations, 1880, authorising the issue of serge or tartan trousers to Militia recruits for wear during preliminary drill have been cancelled; and, if so, for what reason? He urged that the clothing of the Militia was scarcely sufficient for the actual wants of the men at present. He had himself hesitated before taking his men through the town in consequence of the back seam of their trousers being split, and he trusted no diminution of the clothing would be permitted.

THE EARL OF MORLEY said, the reason for the change was that serge was found, at certain seasons of the year, to be extremely cold. That material having been abolished in the Army, it was thought desirable to abolish it likewise in the Militia. Tweed had been substituted for serge; and the change, which was recommended by commanding officers, had, he believed, met with general approval. Tweed trousers were issued to last for four trainings, and the serge trousers hitherto issued to recruits only lasted for their preliminary drill. In future the serge trousers would be issued for recruits; and, as regarded the wear of these trousers, the preliminary drill would in all cases be reckoned as a training.

## ARREARS OF RENT (IRELAND) ACT, 1882.

### QUESTION. OBSERVATIONS.

THE MARQUESS OF WATERFORD asked the Lord President of the Council, Whether the attention of Her Majesty's Government has been called to a letter which recently appeared in the Dublin "Daily Express," signed by Mr. Thomas W. Webber, showing the unjust effect of the Arrears Act on those landlords who are liable to the payment of annual drainage instalments; and whether the Treasury will consider the expediency and justice of remitting such instalments proportionate to the amount of arrears of rent cancelled. The noble Marquess said, it seemed to him that the grossest injustice would be done to landlords under the Arrears Act if instalments were not remitted by the Treasury; but he understood that the Treasury were taking proceedings against certain landlords to recover these instalments. On referring to the Arrears Act, he found that certain public charges made under the Act were to be remitted; but that did not appear to be the case in respect to loans. Consequently this would happen—that landlords would have to pay 6½ per cent to the Government and receive no remission; while tenants who owed arrears of rent would have remissions, and, at the same time, their rents would be reduced. He hoped the noble Lord would be able to give them some hope that the Treasury would look into the matter.

THE EARL OF BELMORE asked whether any remission would be made in regard to the sums which had been paid under the Church Act of 1869, on account of instalments of the capital sums to which tithe rent-charges might have been commuted, so as to place landlords who had commuted their tithe rent-charges under the 52 years' system on the same footing with regard to the Arrears Act of last year as those who had not commuted?

LORD VENTRY said, before the noble Lord answered the Question, he wished to say that the great grievance of the landlords was the slowness with which the arrears of money were being paid, and he should like to know whether any steps would be taken to accelerate the payments? Unless such were the case, it would be a long time before a great many could look forward to receiving the full amount due.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, that, as regard the latter Question, he had not received any Notice, and as to the former—that of the noble Marquess—he was not able to answer it fully, as he had not been able to call the attention of the Treasury to it; but upon the face of the question he thought that the Treasury would say that this charge did not come within the Act, as the section referred to enumerated certain taxes and charges, and drainage instalments were not taxes, but repayments of public moneys; but he would make further inquiry, in order to give a more complete answer at another time.

## EDUCATION DEPARTMENT—THE NEW CODE.

### QUESTION. OBSERVATIONS.

Lord NORTON asked the Lord President about the Education Code now lying on the Table and becoming law on the 15th, as to important verbal alterations introduced into its first draft, which was announced as to be the final settlement of all details? He thought their Lordships were entitled to some information respecting alterations introduced into the draft, which was specially recommended as an ultimatum and a truce to changes in the law. It was bad enough that the Code should have reduced National Education to an earning of Government grants on a show of specified results; but these perpetual changes were reducing it to a speculation and a lottery of chances in winning public money. As far as he could detect from the present accumulated mass of 134 clauses and five Schedules, there had been three alterations of the first draft of this last edition. The first, apparently only a verbal alteration, might be of great practical effect. The Act of 1870 defined its object to be elementary education, and attempted to restrict its provisions to the working classes by limiting grants in aid to ordinary payments of fees not exceeding 9*d.* a-week. This ordinary payment was now explained to mean the average total payments divided by the numbers in attendance. This might introduce into Board schools, called elementary, children of tradesmen willing to pay 2*s.* 6*d.* or 3*s.* a-week in order to get their children into higher schools out of contact with the working classes, for whom the system was primarily intended, but who, by this process, would be comparatively neglected; and, in fact, the lowest class of them were already reported to be on the streets again. The second alteration was the restoration of the Duke of Richmond's and Lord Sandon's sub-section of Article 109 for a general merit grant, for which provision he observed that many persons were now saying Lord Spencer should be immortalized, though they first opposed it. He only regretted that such alterations should be the accidents of official changes, almost without the knowledge of Parliament, through these annual editions of the Code. The third alteration related to assistant teachers from outside the Training Colleges. He only asked the Question in order that before this edition of the Code became law, as it would to-morrow, Parliament might be made aware of the further modifications of its Act.

Lord CARLINGFORD (Lord President of the Council) said, that the noble Lord was mistaken in supposing that the Code, as laid on the Table, was intended to be stereotyped and unchangeable. The Code now about to come into operation had been laid on the Table for an unusual length of time, expressly in order that alterations might be made in its details where necessary. As to the changes which his noble Friend looked upon with so much suspicion, he himself had looked at them carefully, and had found nothing at which his noble Friend might reasonably take alarm. Their object was simply to remove doubts as to the working of the Code, to supply incidental omissions of minor importance, and to meet some objections in matters of detail. The change in regard to the mode of ascertaining the average fee of 9*d.* a week had been introduced in consequence of representations of the Public Audit Department.

Earl FORTESCUE said, he must protest against the alteration made by the Government in the Code. He believed that it was the intention of the Act of Parliament that 9*d.* should be the maximum fee in respect of which grants in aid should be given. The effect of these new words would be before long to throw by a side-wind the whole of the third grade and a great deal of the second grade education of the country into the hands of the Government. In this point, as in many others in his opinion, the Government were acting contrary to the doctrines of political economy.

## STAGE PLAYS IN AID OF CHARITIES BILL [H.L.]

A Bill to amend the Law for regulating Theatres — Was *presented* by The Earl of Onslow; read 1ª. (No. 32.)

House adjourned at Seven o'clock, to Monday next, a quarter before Eleven o'clock.

# HOUSE OF COMMONS,

*Friday*, 13*th April*, 1883.

The House met at Two of the clock.

MINUTES.] — PUBLIC BILLS—*Ordered—First Reading*—Local Government Provisional Orders * [142]; Local Government Provisional Order (No. 2) * [143].

*Considered as amended* — Oyster and Mussel Fisheries Orders Confirmation * [87]; Glebe Loans (Ireland) Acts Amendment * [136].

## *QUESTIONS.*

### PARKS (METROPOLIS)—THE MOUNDS IN THE GREEN PARK.

MR. DIXON-HARTLAND asked the First Commissioner of Works, Who is responsible for the slope of the mounds now being formed in the Green Park; whether he is aware that one has been formed and planted so as to cut off the view of Piccadilly from anyone coming from Stafford House towards Hamilton Place; and, whether the soil could not be more sloped towards St. James's Park so as to make it an ornament?

MR. SHAW LEFEVRE: Sir, the mound to which the hon. Member calls attention has been formed out of the earth which it was found necessary to remove from the west end of the Green Park in carrying out the improvement at Hyde Park Corner. It will be sloped gradually to the eastward, and when completed and grassed over will make, I confidently expect, a very attractive feature in that part of the Park.

MR. DIXON-HARTLAND asked if the right hon. Gentleman was aware that it was already formed and sown, and could not be sloped any more?

MR. SHAW LEFEVRE: It will be sloped still further. I am not aware that the mound cuts off any view of importance.

MR. DIXON-HARTLAND said, he would repeat the Question on Monday next. Probably the right hon. Gentleman would, in the meantime, walk up to the Park and see the mound for himself.

MR. SCHREIBER said, the right hon. Gentleman had spoken of continuing the slope of the soil towards the east. Might not that object be best effected by lowering the crown of the existing mound, which was a sore disfigurement to the Park?

MR. SHAW LEFEVRE said, that he did not undertake a work of that kind without the advice of those who had the management of the Park; and if any mistake had been made he was responsible for it. He suggested, however, that hon. Members should suspend their judgment until the mound had been grassed over. When that had been done, he believed they would consider it an attraction to the Park rather than the reverse.

LORD JOHN MANNERS said, he thought the suggestion of the right hon. Gentleman a fair one—namely, that hon. Members should suspend their judgment. He would, however, ask the right hon. Gentleman to give some assurance that if public opinion was still unfavourable after the mound had been grassed over there would be no difficulty in removing it.

MR. SHAW LEFEVRE said, such a course would involve considerable cost, and he would have to consider the matter.

### LAW AND JUSTICE (IRELAND)—TRIAL OF JOSEPH BRADY FOR MURDER.

MR. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that Mr. M'Cane, solicitor for Joseph Brady, having furnished the Crown Solicitor with the names of the witnesses for the defence, with the object of having them subpœned, and their expenses defrayed by the Crown under the Crimes Act, these witnesses were summoned to appear before Mr. Curran, police magistrate, at Dublin Castle, and were subjected to examination by him; whether the list furnished by the prisoner's solicitor was availed of by any official of the Crown in determining upon the examination of these witnesses; and, whether the statements made during these examinations will be used to disparage their testimony on the trial of the said Joseph Brady?

MR. TREVELYAN: Sir, it was not until the 7th of this month that the Crown Solicitor received notice from the prisoner's solicitor of the witnesses he would require. Some of these witnesses had been long previously examined by Mr. Curran; but not one of them was subsequently communicated with on the part of the Crown or examined by Mr. Curran. They were, of course, cross-examined on their depositions.

Mr. PARNELL: When were they cross-examined on their depositions?

Mr. TREVELYAN: In Court. The depositions were known in Court to both sides, and cross-examinations were conducted by both sides upon them. These witnesses have not been examined by Mr. Curran after it was known that the witnesses would be called for the defence.

Mr. O'BRIEN: In what manner did the Crown learn the substance of their depositions before their examination in Court?

Mr. TREVELYAN: I am not quite clear upon that point. Mr. Curran called before him everyone whom he thought could throw light on the crime. Among them were certain persons who were afterwards called as witnesses for the defence.

Mr. DAWSON: May I ask the right hon. Gentleman, whether it is the custom to have a number of prisoners brought into the dock to hear the whole of the evidence as it goes along, and then to come out of the dock to be sworn as witnesses to prove what they had listened to for days?

Mr. PARNELL: Could the right hon. Gentleman give the date or dates on which these witnesses were examined by Mr. Curran, and in what way the Crown ascertained that they were likely to be called as witnesses for the defence; was the information obtained through the presence of a warder at the conference between the prisoner Brady and his solicitor?

Mr. TREVELYAN: Sir, I believe the whole conduct of this case has been as fair and above board as murder trials generally are. As to the date of the examination of these witnesses, I should be unwilling to give a conjecture; but I have a telegram from the Attorney General for Ireland in which he states that it was long before the time that the Crown became aware that they were to be called for the defence. The manner in which the names of the witnesses who were to be called for the defence came to the knowledge of the Crown was by prisoner's solicitor communicating the names to the Crown Solicitor. ["Oh!"] That is the way. With regard to the Question put to me by the Lord Mayor of Dublin (Mr. Dawson), I cannot, of course, answer anything relating to the conduct of the case by the Crown until I have got a statement or explanation from the legal gentlemen conducting the case. Perhaps the hon Member will put the Question on the Paper.

Mr. PARNELL: I suppose we may understand that there is no warder within hearing of the prisoner during his interview with his legal adviser in the prepartion of his defence, and that the Crown, consequently, had no means of ascertaining the names of the witnesses on whom this prisoner relied for his defence except by a communication which was made by Mr. M'Cune, his solicitor?

Mr. TREVELYAN: I think it would be better if the hon. Member put that in the shape of a Question on the Paper.

Mr. O'BRIEN: Will the right hon. Gentleman undertake to say that it is not the regular system under the Crimes Act that witnesses for the defence whose names are furnished to the Crown are summoned to Dublin Castle for examination prior to their examination for the prisoners?

Mr. TREVELYAN: I think Notice should be given of Questions of this extremely critical character.

## POOR LAW ELECTIONS (IRELAND).

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it has come to his knowledge that the county inspector of Cavan has issued a circular requiring the police to report whether the Roman Catholic clergy followed the policemen who left voting papers during the recent Poor Law elections, or used intimidation for the return of popular candidates?

Mr. TREVELYAN: The only inquiries made on this subject were intended to enable me to answer a Question put to me in this House, and for no other purpose.

Mr. O'BRIEN wished to know whether a similar Return had been ordered in reference to the complaints of intimidation against landlords and bailiffs that had been so extensively made in connection with recent Poor Law elections?

Mr. TREVELYAN: It is not a question of a Return, as I have said. The only inquiries made on this subject, which were made by my order, were intended to enable me to answer Questions put to me in this House, and for no other purpose. Several Questions have been put to me with regard to intimidation at the recent Poor Law elections by hon. Members, who alleged that it was practised by Roman Catholic clergymen, and by other hon. Members who thought it was exercised by landlords and agents, and in all cases I thought it right to make inquiry. That inquiry has in no case been conducted in an offensive manner.

## DUCHY OF LANCASTER—SALES OF LAND.

MR. DILLWYN asked the Chancellor of the Duchy of Lancaster, Whether it is the practice to sell the property of the Duchy to all comers, for the highest price that can be obtained for it, without reference to its being required for public purposes?

MR. RYLANDS wished to know, before his right hon. Friend answered the Question, whether the money received on the sale of any property of the Duchy was handed over to the Crown in addition to the annual income arising from rents and other sources from year to year?

MR. DODSON: Sir, in sales of Duchy property it is the practice to endeavour to have due regard to all interests concerned, certainly not excluding public purposes. In answer to the Question of my hon. Friend the Member for Burnley I have to say that the money received on such sale is invested for the benefit of the Crown.

## INDIAN PUBLIC WORKS—THE LOAN.

MR. R. N. FOWLER asked the Under Secretary of State for India, Whether the Indian Government will raise the proposed loan of two and and a-half millions for public works in England instead of in India, and thus effect a large saving in exchange?

MR. J. K. CROSS: Sir, the Indian Government have announced that the proposed loan of 2½ crores of rupees for public works will be issued in India. This decision is in accordance with the deliberate policy of successive Secretaries of State, supported by the Select Committee on Public Works in 1878-9, which laid down the principle that it was not desirable to contract gold debts dischargeable from silver assets. I should be glad if the hon. Member would explain in detail to me at the India Office how a large saving in exchange could be effected on the operation of issuing a sterling loan in England rather than a rupee loan of equivalent amount in India.

MR. DAWSON: What is the nature of the public works?

MR. J. K. CROSS: Railways which will produce such an interest on the return as will more than pay the interest which is charged on the loan.

## DUCHY OF LANCASTER—ESTUARY OF THE MERSEY—SALE OF LAND—THE SOUTHPORT FORESHORE.

MR. SUMMERS asked the Chancellor of the Duchy of Lancaster, Whether it be the fact that prior to the sale of the Southport foreshore to the riparian owners, the Surveyor General of the Duchy promised a deputation of the Southport Town Council to give that body the first refusal of the foreshore; and, if so, whether that promise has been fulfilled; whether a verbal agreement was come to between the Surveyor General of the Duchy and a deputation of the Southport Corporation for the sale to the latter of the Southport foreshore; whether the terms of such agreement were embodied in a draft which was forwarded to the Solicitor of the Duchy; whether the terms of the draft were ever submitted to the Chancellor, and his decision thereupon communicated to the Southport Corporation; whether the Corporation of Southport, whilst protesting against the withdrawal of the verbal understanding come to between their members and the Surveyor of the Duchy, offered a sum higher than that given by riparian proprietors; and, if so, why such offer was not accepted; and, whether he will lay upon the Table a Copy of the Correspondence which has taken place between the officials of the Duchy, the representatives of the Southport Corporation, and the riparian proprietors respectively?

MR. DODSON: Sir, I am unable to say what passed in conversation at an interview between the Surveyor General and a deputation in the course of the negotiations which, as I mentioned yesterday, took place in 1881. But in September, 1881, an offer was made by the Surveyor General, subject to subsequent approval by the Chancellor of the Duchy to the Corporation, to sell the Duchy interest in part of the foreshore upon certain terms to the Corporation for the the sum of £9,500. This was accepted by the town clerk, subject to the approval of the Town Council, and a draft agreement purporting to embody these terms was sent in December, 1881, to the Duchy solicitor. The terms, however, so embodied, were found to be very different from those offered by the Surveyor General. Before the draft had been submitted to the Chancellor it was practically withdrawn in February, 1882, by the town clerk, whose letters indicated that he was not satisfied with the Duchy title. A deputation to the Chancellor was talked of by the town clerk, but did not take place, and, I believe, was never applied for. As I stated yesterday, we considered the offer of the lords the better. I may add that the consideration that in settling with the lords we closed the door against litigation had great weight with us. There is no objection to the production of the Correspondence in question.

In reply to Sir R. Assheton Cross,

Mr. DODSON said, the interest of the Duchy in the foreshore had been sold to certain riparian proprietors, between whom and the Duchy the title to the foreshore was in dispute.

### ARMY—COMPASSIONATE ALLOWANCES—CAPTAIN WARDELL.

Captain PRICE asked the Secretary to the Admiralty, What pension and compassionate allowance have been awarded to the widow and children of the late Captain Wardell, of the Royal Marine Light Infantry, who fell at the battle of Tel-el-Kebir; and, whether this pension and allowance are the same as in the case of an Officer of similar rank in a Line regiment; and, if not, if he would explain to the House the reason?

Mr. CAMPBELL - BANNERMAN: Sir, besides a gratuity of £459, Mrs. Wardell has received a grant of pension at the rate of £80 a-year, and for each of her three children a compassionate allowance of £16 a-year. These are the rates allowed under regulation, and they are identical with the rates allowed in the cases of officers of similar rank in the Navy, and also with those which were in force in the Army until the issue of the recent amended Warrant. The Army Warrant of 1881 materially altered the scale of pensions. The attention of the Admiralty has already been directed to this subject, and the question of rearranging the existing scale is under consideration.

### NAVY—PURCHASE OF CLOTH.

Captain PRICE asked the Secretary to the Admiralty, Whether it is true, as stated in the "Army and Navy Gazette" of the 17th February, that a large quantity of navy blue cloth and serge, intended for the Naval Service, was recently surveyed at Deptford Victualling Yard, and that the whole of it was rejected by the surveying officers as being under weight, of bad colour, and not according to sample; whether the Admiralty, nevertheless, decided against the surveying officers, and informed them that, as the contractors had agreed to lessen the price, the cloth was to be passed! whether this inferior cloth will now become the standard, as to quality, for next year's samples; and, who are the contractors who supplied the cloth?

Mr. CAMPBELL - BANNERMAN: Sir, the facts stated in the article on which the hon. and gallant Member founds his Question are, in the main, incorrect, and the inferences and allegations based on them are wholly unfounded. No quantity of No. 1 blue cloth has been received at an abatement as stated. In January last 999 yards of No. 2 blue cloth, a coarser material used for trousers, were rejected for containing more "grey hairs and bur" than the pattern. These are minute specks hardly noticeable, except by experts looking especially for them. They are removed by hand, the process being a tedious one. This was the last delivery under the contract, and the contractors asked that the cloth might, if possible, be taken at an abatement to close the transaction. This request was referred for the opinion of the examining officers, who reported that the cloth might be taken for hospital service at a reduction of 2½ per cent, and with the consent of all concerned this was done. As regards the case of the serge, a firm of contractors, being in arrear with their contract, were required to complete it by a given date, after which all then undelivered would be brought against them. A delivery of 4,000 yards towards the end of the extended period was rejected for various defects; but the Report stated that it was a mixed delivery containing many good pieces. In justice to the contractors it was directed that the delivery should be gone over again in detail, and such pieces only accepted as reached the full standard of colour, quality, &c., in every respect. This was done, and 1,520 yards were accepted without abatement. These are, I presume, the facts to which the paragraph refers. The insinuations it contains are absolutely without foundation, and would not have called for contradiction were it not for the importance given them by being referred to in a Question by an hon. Member of this House. I may add that, of course, the deliveries of one year do not constitute the standard for the next year's supplies. The standards are unchanged until they require replacement, when they are specially made. It is confidently affirmed that the quality of cloth and serge has in no way deteriorated of late, while the price, of which the seaman has the benefit, has been lessened. I am sorry to have to reply at such length; but in justice to the officers of the Department who have acted most properly in the circumstances, I was obliged to go into these details.

## THE ANGLICAN BISHOPRIC OF JERUSALEM.

Mr. RAIKES asked the First Lord of the Treasury, Whether there is any foundation for the report that the Emperor of Germany, as King of Prussia, has notified his intention to abandon the arrangement upon which the Angelican Bishopric of Jerusalem was founded; and, if this is the case, what course Her Majesty's Government propose to take in order to maintain espiscopal supervision and representation for the Anglican community in Palestine; and, whether he will communicate to Parliament any Correspondence which may have passed on the subject?

Mr. GLADSTONE: The Question of the right hon. Gentleman proceeds, in some degree, upon a misapprehension, inasmuch as it is not true that the Emperor of Germany, as King of Prussia, has notified his intention—at least, not to my knowledge — to abandon the arrangement upon which the Anglican Bishopric of Jerusalem was founded; but it is true that the German Ambassador, on the part of the Emperor, has addressed to Lord Granville a letter indicating dissatisfaction with the arrangement and with the working of the arrangement on which the bishopric stands, and contemplating material changes. No progress, however, has been made in the Correspondence on the affair that will warrant me in going into details.

Mr. RAIKES asked, whether there would be any objection to produce the Correspondence when an arrangement had been arrived at?

Mr. GLADTTONE: The right hon. Gentleman must fully understand that the matter is in a state altogether immature at present. But as the existing arrangement was made under an Act of Parliament, I should think the time will arrive for submitting the whole of the Correspondence to Parliament.

## THE MAGISTRACY (IRELAND).

Mr. M'COAN asked, Whether the Return moved for by the hon. Member for Sligo (Mr. Sexton) last November as to the religion and other particulars connected with the Irish magistracy would be presented?

Mr. TREVELYAN, in reply, said, this was a large and voluminous Return, and its preparation depended to a great extent upon an Office over which the Government had not much control. However, they had now got the names of the magistrates from the Clerk of the Hanaper, and inquiries were being made—inquiries, he must say, of a very novel sort, and of a sort which had often been questioned in that House. No time would be lost in completing the Return.

Mr. M'COAN said, he hoped it would be presented before the 27th instant, when his Motion was to come on.

## PARLIAMENT—ORDER OF BUSINESS.

Mr. HENEAGE asked the Prime Minister, Whether it was the intention of the Government to take the Rivers Conservancy Bill on Monday?

Mr. GLADSTONE, in reply, said, that the Government wished to proceed with the Criminal Code Bill on Monday, and after that with the Patents Bill. The next Order was the Inland Revenue Bill.

---

## MESSAGES FROM THE QUEEN.

### BARON ALCESTER.

Message from Her Majesty *brought up*, and read by Mr. Speaker (all the Members being uncovered), as follows:—

*VICTORIA R.,*

*Her Majesty, taking into consideration the important services rendered by Frederick Beauchamp Paget, Lord Alcester, Admiral in Her Majesty's Navy, in the course of the recent Expedition to Egypt, and being desirous to confer some signal mark of Her favour for those distinguished services, recommends it to Her faithful Commons to enable Her Majesty to make provision to secure to the said Frederick Beauchamp Paget, Lord Alcester, and to the next surviving Heir Male of his body, a Pension of Two Thousand Pounds per annum.*

*V.R.*

### BARON WOLSELEY OF CAIRO.

Message from Her Majesty *brought up*, and read by Mr. Speaker (all the Members being uncovered), as follows:—

*VICTORIA R.,*

*Her Majesty, taking into consideration the important services rendered by Garnet Joseph, Lord Wolseley of Cairo, General in Her Majesty's Army, in the course of the recent Expedition to Egypt, and being desirous to confer some signal mark of Her favour for those distinguished services, recommends it to Her faithful Commons to enable Her Majesty to make provision to secure to the said Garnet Joseph, Lord Wolseley of Cairo, and to the next surviving Heir Male of his body, a Pension of Two Thousand Pounds per annum.*

*V.R.*

**Mr. GLADSTONE**: Sir, I beg now to give Notice that on Monday next I shall move that the House do take into consideration in Committee Her Majesty's most gracious Messages, and if it should be the pleasure of the House that a Bill should be introduced to give effect to those Messages, I will move that the second reading of the Bill, when it comes forward, shall be placed ast he First Order of the Day. I believe it is according to precedent that I should now move, and therefore I do now move —"That the House will, on Monday next, resolve itself into the said Committee."

Motion *agreed to.*

Committee thereupon upon *Monday* next.

**Mr. LABOUCHERE** asked, whether the two Messages would be considered together or separately?

**Mr. GLADSTONE**: I am not quite sure at present, but I will inquire into the matter.

## *ORDER OF THE DAY.*

## SOUTH AFRICA—THE TRANSVAAL—POLICY OF HER MAJESTY'S GOVERNMENT.—RESOLUTION.

[ADJOURNED DEBATE.] [THIRD NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [13th March],

"That, in view of the complicity of the Transvaal Government in the cruel and treacherous attacks made upon the Chiefs Montsioa and Mankoroane, this House is of opinion that energetic steps should be immediately taken to secure the strict observance by the Transvaal Government of the Convention of 1881, so that these chiefs may be preserved from the destruction with which they are threatened."—(*Mr. Gorst.*)

And which Amendment was,

To leave out from the first word "the" to the end of the Question, in order to add the words "very grave complication that must attend intervention in the affairs of the native populations on the Western Frontier of the Transvaal, this House is of opinion that the action of British authorities in those regions should be strictly confined within the limits of absolutely unavoidable obligations,"—(*Mr. Cartwright,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

**Mr. CARTWRIGHT** said, he wished, with the indulgence of the House, to make one or two remarks in reference to the Amendment which stood in his name. Unexpectedly in the course of the debate the Prime Minister moved an Amendment on his (Mr. Cartwright's) Amendment, so as to modify and alter its character very much. By the substitution of the new words for those in the concluding sentence of his own Amendment, the issue as involved in the original Amendment would be shifted from a general proposition to one relating solely to a particular incident touching the position of certain Bechuana Chiefs. The long interval which had elapsed since he moved his Amendment had given him time to reflect upon his position, and he was sorry to say he had come to the conclusion that he could not accept the words proposed to be grafted on the preamble of his Amendment by the right hon. Gentleman; and, therefore, with the permission of the House, he would withdraw his Amendment in order that Her Majesty's Government might submit their Amendment in a substantive form. Should this course be adopted, he should reserve to himself full liberty of action in the matter.

Mr. ONSLOW: I rise, Sir, to a point of Order. I see that the Amendment of the Prime Minister is an Amendment to the Motion of the hon. Member for Oxfordshire (Mr. Cartwright). If the Amendment of the hon. Member opposite is withdrawn, it appears to me that there would be no sense in the Amendment of the right hon. Gentleman the First Lord of the Treasury.

Mr. GLADSTONE: I believe it would be necessary to prefix to my Amendment, as it stands, that part of my hon. Friend's Amendment which I propose to adopt.

Mr. RAIKES: I wish, Sir, to ask you, upon a point of Order, whether considerable inconvenience will not be caused to the House if this Amendment is withdrawn at this moment? The Amendment of the right hon. Gentleman is an Amendment to that of the hon. Member for Oxfordshire (Mr. Cartwright). All the other Amendments are Amendments to the Motion of the right hon. Member for Gloucestershire (Sir Michael Hicks-Beach), and the House will be in this position, that after having spent two days in discussing the Amendment of the hon. Member for Oxfordshire, they will have to go back and discuss the question over again. I venture to ask you, Sir, whether, under these circumstances, it would be a convenient course at this particular point of the debate, for the Amendment to be withdrawn, and if it would be possible in that event for the subsequent Amendments standing in the name of the Prime Minister, of my right hon. Friend the Member for Gloucestershire (Sir Michael Hicks-Beach), and of the hon. Member for Kirkcaldy (Sir George Campbell) to be put?

Lord RANDOLPH CHURCHILL: I wish to ask if this Amendment could not be moved as an Amendment to the original Motion of my hon. and learned Friend the Member for Chatham (Mr. Gorst)?

Mr. GLADSTONE: In substance, my Amendment will be an Amendment arising upon and following the Amendment of the right hon. Member for Gloucestershire, and it is not confined to the Motion of the hon. and learned Member for Chatham.

Mr. W. H. SMITH: I think it would be very much for the convenience of the House that the Amendment which has already been moved should stand.

Mr. ONSLOW: I wish, Sir, to point out that if the Amendment is withdrawn, I cannot see how the Amendment of the right hon. Gentleman the Prime Minister can come in, because it states that it is to be moved in the event of the Amendment proposed by the hon. Member for Oxfordshire (Mr. Cartwright) becoming a substantive Motion. If the Amendment is withdrawn, it would follow that the Amendment of the Prime Minister must go too.

Mr. SPEAKER: Of the four Amendments on the Paper, one is an Amendment upon the original Motion of the hon. and learned Member for Chatham. The other three are Amendments upon the Amendment of the hon. Member for Oxfordshire, which he now desires to withdraw. If the House thought proper to allow the Amendment of the hon. Member for Oxfordshire to be withdrawn, I apprehend there would be no difficulty in the other Amendments on the Paper being re-cast, so as to adapt them to the altered conditions of the question; but it is for the House to say which is the most convenient course to adopt. In point of Order, there is no objection to the Amendment of the hon. Member for Oxfordshire being withdrawn; and any Amendment would be then in Order upon the Motion of the hon. and learned Member for Chatham.

Sir STAFFORD NORTHCOTE: Sir, if the Amendment were withdrawn, I am afraid the House would get into serious confusion. The whole scheme of the debate has been founded on the Motion of the hon. and learned Member for Chatham, and the Amendment of the hon. Member for Oxfordshire thereupon. It was understood that, in the event of that Amendment becoming a substantive Motion, there would be an opportunity of amending it. And two of the Notices given—namely, that of the right hon. Member for Gloucestershire (Sir Michael Hicks-Beach) and of the Prime Minister, have been given upon that hypothesis. But, without any Notice or warning to anybody on this side of the House, we are called upon to re-cast these Amendments. My right hon. Friend the Member for Gloucestershire told the Prime Minister that he wished to move his Resolution. [MR. GLADSTONE: No, no!] Then I am more puzzled than ever. My right hon. Friend the Member for Gloucestershire is not present, and it seems as if the whole business would be conducted in a very unsatisfactory and unworkmanlike manner. The House has really got into this difficulty from the circumstance that the Government has not met, as they ought to have met, the fair challenge of my right hon. Friend the Member for Gloucestershire, which was given on the first night of the Session, to afford him an opportunity of straightforwardly impeaching the policy of the Government. The best and simplest way out of the difficulty would be for the Government to say they were prepared to give my right hon. Friend a proper opportunity for bringing forward his Vote of Censure on the Government. If we could once arrive at that conclusion, without all these shifting arrangements, which make the whole matter unintelligible, we should know what to do. The Government was first prepared to accept the Amendment of the hon. Member for Oxfordshire (Mr. Cartwright). Then the Prime Minister gave Notice of an Amendment; next that was altered; and now the House is asked to re-cast the whole matter. If the Government are prepared to defend their policy, they will take the simple course I have suggested.

MR. SPEAKER: According to the Rules of Debate, an Amendment cannot be withdrawn without the general consent of the House. That general consent does not appear to be given, and I presume the Amendment still stands before the House.

MR. GLADSTONE: Sir, I hope I may be permitted to observe that we have just heard, on a point of Order, a speech involving accusatory matter in a greater degree than I think I ever heard compressed into so few lines. A proceeding so strange, so contrary to the usages of the House, and so regardless of its convenience, I cannot recall. I do not hold myself to be at liberty to reply to a single word of these accusations. If I am not at liberty, and I believe I am not, these accusations ought not to have been made on this occasion. The right hon. Gentleman entirely misunderstood me. What I wished to say is this. The difficulty of form suggested by the hon. Member for Guildford (Mr. Onslow) had, in my opinion, no existence, because I said, so far as I was concerned, that I would prefix to my Amendment certain words, so that the House might then proceed to debate it. That was an observation on the point of Procedure.

Question put, "That the Amendment, by leave, be *withdrawn.*" [*Cries of* "No, no!"]

SIR HENRY HOLLAND: So many Amendments, Sir, have been put down on the Paper upon this important question, that, although one only is strictly under the consideration of the House, it is difficult to steer clear of the others; and the short discussion which we have just heard has not lessened that difficulty. I believe I shall best suit the convenience and save the time of the House by stating, without reference to the Resolution and Amendments, the view which I and many others on both sides of the House entertain of the position in which this country has been placed by the action of Her Majesty's Government. The first point is to ascertain the exact policy of Her Majesty's Government, and what course they intend to pursue. But this is by no means an easy matter. The speeches of the noble Lord the Secretary of State for the Colonies in "another place" and of the Under Secretary of State in this House seem to indicate a policy, though a highly unsatisfactory one, of continued remonstrances to the Transvaal Government—not of much avail if treated as our remonstrances have hitherto been treated—and of payment of compensation to Native Chiefs for losses against which we ought to have protected them. But the speech of the Prime Minister, in reply to the powerful and eloquent speech of the right hon. Member for Bradford (Mr. W. E. Forster) in which this undecided policy was attacked, and in which Her Majesty's Government were urged to adopt a firmer policy, was most vague and unsatisfactory. He concealed the decision of Her Majesty's Government, if indeed they have arrived at any definite decision, in a cloud of words. Indeed, his speech reminded me of nothing so much as the cloud with which we read in *Homer* a friendly god or goddess enveloped a wounded warrior, and thus enabled him to escape from his assailants. Different lines of action were indicated as possible, but no distinct line of action was stated. Even the lines of action indicated were so hampered and hemmed in by conditions, limitations, and restrictions, that we are confused and baffled in our endeavours to make out what is really the course which Her Majesty's Government intend to follow. Some points, however, can be ascertained, by a somewhat negative process, from an examination of the Resolution and Amendments. In the first place, it is clear that Her Majesty's Government will not pledge themselves—

> "Immediately to take energetic steps to secure the strict observance by the Transvaal Government of the Convention of 1881, so that the Chiefs may be preserved from the destruction with which they are threatened;"

otherwise, they would have accepted the Resolution of the hon. and learned Member for Chatham (Mr. Gorst). Again, they will not bind themselves to fulfil "absolutely unavoidable obligations," or they might have accepted the Amendment of the hon. Member for Oxfordshire (Mr. Cartwright). Surely, however, this was the very minimum of duty—the performance of absolutely unavoidable obligations—which the Government were called upon to perform. But the Prime Minister said that he did not consider this Amendment sufficient to meet the demands of the case. Then how does he propose to meet the demands? In what way does he consider they will be satisfied? For this we must turn to the Amendment proposed by the Government, and we find that it is by making—

> "Adequate provision for the interests of any Chiefs who may have just claims upon the Government."

But this action would have been included, clearly included, in the terms of the Amendment. If we do not protect the Chiefs, we are unavoidably bound to compensate them. The Government Amendment is a limitation of the original Amendment, and not, as the Prime Minister would wish us to believe, an enlargement of it. Unless the Government are not prepared to pledge themselves to any decided policy, I cannot understand why they should not accept the Resolution or Amendment. It is true that the Prime Minister, in his speech of March 16th, to which I have before referred, said, in general terms—

> "We all do the best we can, subject to jeers, and, perhaps, Party taunts, to obtain justice for those who have in every manner acted on our behalf, nor will we renounce any right whatever that we now possess as against either the Transvaal Government or freebooters proceeding from the Transvaal."

But the country desires a more distinct answer and assurance. It is not sufficient for the Government to say that they will not renounce any rights. What the country requires to know is whether, if those rights are set at nought and infringed by the Transvaal Government, the Government will uphold them and secure their observance? Again, at one time we understood from the speech of the Under Secretary of State that remonstrances would be continued against the action of the Transvaal Government, though Lord Derby admitted the inutility of such remonstrances. But now it appears, from the speech of the Prime Minister, that such is not to be the case, and that no further step will be taken in this direction until a certain Dr. Jorissen has had an opportunity of making representations to Her Majesty's Government. In any case, Sir, it would show an undignified and feeble action to abstain from calling upon the Transvaal Government to return an answer to the grave charges brought against them by Sir Hercules Robinson in his carefully-considered despatch of January 22, 1883; but it is still more undignified when we consider that Dr. Jorissen, though, I believe, a Law Officer of the Transvaal Goverment, is not an accredited Agent of that Government, and has no authority to state their views or to make any promises on their behalf. He is here, as we are told, on private business, and looking to his antecedents, I cannot refrain from warning the Government against too hastily accepting his statements. When he says, for instance, as he is reported to have said to Lord Derby, that peace was restored amongst the Natives, I should like to know what kind of peace has been restored, and how restored? Has it been obtained by the crushing up Montsioa, and forcing him to submit to Moshette or to the Boer marauders? Has it been by the establishment of this new Republic of Stellaland? Dr. Jorissen's statements cannot be received as correct without inquiry; and are we in the meantime to hold our hands? The policy of Her Majesty's Government is a half-hearted and shuffling policy. It is a policy of indecision and waiting on events. It fails to uphold and safeguard the honour and dignity of this country. I desire to express my deep and unfeigned regret at the action of Her Majesty's Government. The effect of it cannot be measured by this case only. The effect will be, I fear, far-reaching, and may prove disastrous not only in the Transvaal, not only to our unfortunate Native allies, not only to our Government in South Africa, where we have masses of Natives to deal with both in our Colonies and outside the borders, but even in India and wherever we have to deal with Native Princes and Tribes. Take the case of South Africa and its probable effect there. The difficulties in our relations with South Africa were not exaggerated by the Prime Minister. They have often led to great waste of life and money; they have often baffled the statesmen of this country, and they will now be greatly increased. Hitherto the good faith of this country and its loyal observance of engagements have been unimpeached, and owing to that fact we have been enabled to do much good. The Natives have trusted us, and many a quarrel has been checked by our mediation which, if extended, would have been ruinous to the parties engaged, and perhaps perilous to the peace of our Colonies. Nay, more; troubles of a grave character between Natives and Whites, as in 1858 and 1864 between the Orange Free State and the Basutos, have been settled by our mediation. Destroy their faith in us, and our power of doing good will be crippled, if not altogether put an end to. We shall have no power to check those dissensions which the Boers foster, and by which they profit. And here I must refer to an answer of the Prime Minister to the hon. Member for Preston (Mr. Tomlinson), who asked for Papers to show that Bechuanaland was "always a land of turbulence and disorder," as stated by the Prime Minister. The Prime Minister referred to certain Blue Books of 1878 and 1879. But if he had studied the history of this country he would have found that these disorders were stirred up by the South African Government. In proof of this I would cite one paragraph of the Report of the Royal Commissioners who settled the Pretoria Convention. They say—

> "In 1872 and 1873 the Government of the South African Republic purported to acquire by cession certain portions of the disputed territories from Koranna Chiefs, from the Barolong Chief Moshette, and the Batlapin Chief Gasibone. The Government of the Republic, it seems, tried to raise up a question of paramount Chieftanship among the Barolong Chiefs, and to set up Moshette as paramount against Montsioa, and it was from Moshette, as paramount, that they sought to take the cession of the Barolong territory."

Sir Owen Lanyon, in several despatches in 1878, points to the action of the South African Republic as being at the bottom of these Native dissensions; and the House must remember that early in 1877 the South African Republic actually endeavoured, by Proclamation, to annex this very Bechuana territory. Against that and several similar Proclamations, Lord Carnarvon, when Secretary of State, firmly protested. The records of the Colonial Office and the Blue Books presented to Parliament, show persistent working of the South African Republic in this direction, causing untold mischief and trouble. I will only add that as regards the character and habits of the Natives, if left to themselves, the missionaries give a very different account from that described by the Prime Minister. Sir, I do not underrate the difficulty of the position. No one can view it without grave fear and apprehension; certainly no one who has studied South African affairs. But Her Majesty's Government have only themselves to blame for this difficulty. This special difficulty has arisen directly from the retrocession of the Transvaal and from the terms of peace, for which this Government alone are responsible. Other difficulties might have arisen if we had continued to hold the Transvaal, which, up to the early part of 1881, Her Majesty's Ministers stated was their policy. But I believe that such difficulties would have been of a much less grave character, and might have been overcome by firmness and judgment. If we had secured the victory, which was within our grasp, over the only army that the Boers could have got together, we should have gained the respect of the Boers; we should have been in a position either to put down or make terms with the Boer leaders; we should have held the country with the assent of many well-to-do and peaceful Boers—as is shown by the Memorials from so many different places presented to Sir Theophilus Shepstone and by the Memorial of loyal Boers against the retrocession of the Transvaal—and with the unanimous assent of all the Natives. This latter fact is a very important element in the case, and is proved by the Report of the Royal Commissioners, and by an extract from one of Sir Hercules Robinson's despatches of the 4th of August, 1881, in which he says—

> "It would be wrong of me to endeavour to conceal from your Lordship the fact, of which I fear there can be no question, that the Native population of the Transvaal lament the withdrawal of British administration from the country, and are dissatisfied with their new lot, and distressed and anxious at the prospect they see before them."

Indeed, so strong was their dissatisfaction, that the Commissioners, probably very wisely, would not allow them to state their wishes in presence of the Boer leaders, for fear that they would use such strong language as to excite the Boers, and render themselves liable in the future to revengeful action on the part of the leaders of the Transvaal Government. We should then, I contend, have thus secured a good and strong Government to the country, and protection to the Natives both within and without the frontier line, over which we should have prevented encroachments from either side. If in the course of years we found that there was still a strong yearning amongst the Boers for a restoration of the Republic, we might have retired with honour and with full security to the Natives against Boer attacks. The Boers would have felt our power, and been thankful for concessions which now they have wrung, or consider they have wrung, from us by force. But, whatever might have happened if we had retained our hold on the country, this special difficulty with which we now have to deal admittedly arises from the hastily-patched-up peace, and the terms of the Convention. Now, what is the present position? Briefly this—that we have incurred obligations to Natives both within and without the Transvaal; and that the Boers, by breaking the terms of the Convention, and by attacking the Natives, have tested the force of those obligations and our power and readiness to uphold them. If so long a time had not elapsed, nearly a month, since this debate was adjourned, I should have been content to have simply stated these two points, and to have relied on the powerful speech of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), and the facts he adduced in support of them; but as some Members now present may not have heard that speech, and as the points are of vital importance in the case, I will venture to re-state to the House the proofs upon which I rely. And, first, that we are under some obligations to the Natives can hardly be denied, although the exact force and bearing of them are disputed by the Government. I will not refer at length to the speeches of Ministers and Supporters of the Government in both Houses in 1880 and 1881, but will only read one extract from the speech of the Prime Minister of the 21st of January, 1881, made, be it remembered, after the rebellion broke out. In giving the reasons why we must continue to hold the Transvaal, the right hon. Gentleman said—

> "I must look at the obligations entailed by this annexation; and if in my opinion, and in the opinion of many on this side of the House, wrong was done by the annexation itself, that would not warrant us in doing fresh, distinct, and separate wrong, by a disregard of the obligations which that annexation entailed . . . . Secondly, there was the obligation towards the Native races; an obligation which I may call an obligation of humanity and justice; and, thirdly, there was the political obligation we entailed upon ourselves in respect of the responsibility which was already incumbent on us, and which we, by the annexation, largely extended, for the future peace and tranquillity of South Africa."

And, further on, he spoke of—

> "The obligations we have undertaken with respect to the future tranquillity of South Africa, and the interests of the Natives of that country."—(3 *Hansard*, [257] 1142-44.)

This speech covers the whole ground. We cannot get rid of our obligations by giving up the Transvaal. On the contrary, as that step was taken against the strongly-expressed wishes and prayers of the Natives, our obligations are more binding, and should be more carefully guarded and secured. This was distinctly recognized by Sir Hercules Robinson in his address to the Natives within the Transvaal, in August, 1881, "Rest assured," he said, "Your interests will never be forgotten or neglected by Her Majesty's Government." I am afraid he was rather premature in giving them such an assurance. As to the Natives outside the frontier, our engagements are no less clear. Firstly, by our having fixed, by the Convention, a frontier line in their interests and for their protection, which the Boers undertook to us not to encroach upon; and, secondly, and more clearly if possible, by our retaining the Suzerainty. This was fully admitted by the Prime Minister in a speech made on July 25, 1881, when he was defending the terms of the Convention, and relying upon those terms as a sufficient protection to the Natives, in answer to challenges and questions to him upon that point from both sides of the House. The Prime Minister then said—

> "What was still more important was, that we should reserve sufficient power to make provision for the interests of the Natives. And this reservation of foreign relations was a most important one as regards the interests of the Natives, because a very large proportion of the Native interests of the country involve the Natives beyond the frontier of the Transvaal. Therefore, the whole of the interests of the Natives beyond the frontier of the Transvaal will be retained in the hands of the British Government by the retention of the Suzerainty. . . . . By separating this veto upon laws relating to the Natives from any general interference with the business of the country, we have put ourselves in a position to make use of that power, and provide a far more efficient safeguard than we could have had for the interests of the Natives if we had retained the Transvaal in the Colonial connection."—(3 *Hansard*, [263] 1859-60.)

Could stronger words be used? If the retention of the Suzerainty gave even as efficient a safeguard to the Natives as our retention of the Transvaal would have given, it would have been an absolute protection, because it is certain that if we had continued to rule in the Transvaal we could have readily checked raids against the Natives; but it is stated to have given even a far more efficient safeguard. The Prime Minister now argues that we have reserved "rights," but incurred no "obligations." This may be technically correct, but it is a point that will hardly be appreciated by the Natives, who were promised protection; and if this is the position of the Government, the language of that speech of July, 1881, was most misleading, especially when the circumstances are considered in which it was spoken. Again, we have incurred honourable obligations, to say the least of it, to these Native Chiefs, Montsioa and Mankoroane, as our loyal supporters and allies. The Prime Minister demurred to this term "allies," and said we did not ask for assistance, but, on the contrary, desired them not to fight. Quite true; but did he remember that we asked them to give shelter to the loyal people escaping from the Transvaal; that they did give such shelter; nay more, that they refused to give these refugees up to the Boers, thus incurring, at our request, the hostility of the Boers? In passing, I would ask, is it quite certain that if the war had continued we should not have availed ourselves of their assistance? I was informed only a few days ago by Sir Owen Lanyon, that in 1878, during our Griqualand troubles, Mankoroane did assist us against a Batlapin Chief; and, unless my recollection deceives me, we did take steps not so long ago to ascertain how far the Swazis would assist us. I understood the Prime Minister to say that we should never employ Natives against White men. But I am not prepared to admit this as certain; and if we had had a prolonged war with the Boers, or if, unfortunately, hostilities were now to break out between us and the Transvaal Government, I am inclined to think that we should avail ourselves of the armed force of the friendly Native Chiefs. But to return to the case before the House. Sir Hercules Robinson and Sir Evelyn Wood did not hesitate to speak of these Chiefs as "our allies." In February, 1882, Sir Hercules Robinson speaks of them as having been always "our firm friends and allies." He uses the same term in a despatch of July 6th, 1882, and again in his well-considered and important despatch of January 22nd, 1883. My second point is, that the Boers have broken the Convention in several respects, but especially by their non-observance of the frontier line, and by their "scandalous raids," as Sir Hercules Robinson calls them, against the Natives. This is admitted by all up to a certain extent, except, perhaps, by the hon. Member for Newcastle (Mr. John Morley), who appears to be of opinion that a Boer can do no wrong, and that he is immaculate. But, surely, the Blue Books must convince any unprejudiced reader that the Boers, at first covertly, by allowing Moshette to use the Transvaal as the base of his operations against Montsioa, but afterwards openly and deliberately, and with contemptuous and insulting language, broke their engagements with this Government. The question has been raised, how far the Transvaal Government can be held responsible for these proceedings? The Prime Minister has objected to admit their "complicity," as stated in the Resolution of the hon. and learned Member for Chatham, and he proposed words showing their "inability to restrain" the proceedings. But since then another change has been made, another Amendment has appeared on the Paper; and in lieu of the words "and of the inability of the Transvaal Government to restrain," we find the words "and of the absence of any effectual restraint upon." What is the meaning of this change? Is it that upon further inquiry the Government were not satisfied that the Transvaal Government were not really accomplices in, or unable to restrain, these proceedings? No, Sir; I gather from an answer of the Prime Minister to a question put upon this point a few days ago, that the Government desired to leave out of consideration altogether the question of the conduct of the Transvaal Government, and to deal with the Natives only. If this be so, it shows, I fear, that Her Majesty's Government even now are not alive to the full bearings of the case, and that even now they have no fixed line of policy. We have entered into a solemn Convention with the Transvaal Government, by which protection is practically secured, as the Government have themselves stated, to the Natives. The terms of this Convention have been broken by the Transvaal Government; the Natives have been attacked; and yet Her Majesty's Government desire to shut their eyes, and to ask us to shut our eyes, to this conduct of the Transvaal Government, and to treat it as in no way bearing upon the case, or upon the consideration of the policy to be adopted. They desire to avoid any decided action in relation to that Government, and to wait and see what may turn up. Whatever be their reason, I shall endeavour to show the complicity of the Transvaal Government in these scandalous proceedings, as I consider it an all important element in the consideration of this case. And first, as to the strong probability of their being accomplices, I would rely on two arguments, which, strange to say, were put forward by the Prime Minister to show their "inability to restrain." He said, on March 16th—

> "The Transvaal Government, whatever else it may be, is eminently a popular and representative Government. In its virtues, if it has any, and in its vices, if it has any, it represents the sentiments of the community over which, or among which, it rules, and if wrong has been done by the Transvaal Government, you may rely upon it that the root of that wrong lies far deeper than the surface. It lies in the feeling of the population behind that Government."

Now, surely, the closer the sympathy of a Government with the people is proved, the more probable is it that that Government will support the wishes and action of the people. If, then, the desire of the people is to resist British influence, to extend the frontier, and to annex Native territory, and they act accordingly, such a Government is not likely to interfere, even if it does not openly support such action. Again, the Prime Minister warned us that there was a strong feeling against this country throughout the Dutch population. He said—

> "Nor is the matter confined to the Transvaal. An hon. Gentleman, who spoke in the debate, stated that in the Orange Free State, at the time of the action which took place a couple of years ago, he had heard people of the Orange Free State exulting in the miscarriages which had befallen British arms in the Transvaal. Then, that sympathy that exists between the Transvaal Government and the Transvaal population you admit goes beyond the Boers of the Transvaal, and pervades the Orange Free State as well. Does it stop there? Does it not go into the Cape? Are you not aware that a strong feeling of sympathy passes from one end of the South African settlements to the other among the entire Dutch population."

Now, Sir, does not this increase the probability that the Transvaal Government, aware of this sympathy and sharing this feeling, the more strongly because of their recent conflict with this country, would connive at proceedings aimed both against us and our allies? Let me observe, however, in passing, that I think the Prime Minister somewhat exaggerated the feeling of the Dutch population against us. Against such a vague statement in proof of the bitter feeling against us of some subjects of the Orange Free State——

MR. GLADSTONE said, that he did not rely on that statement, but only referred to it as having been mentioned by another Member.

SIR HENRY HOLLAND: I am aware that the Prime Minister did bring it forward, but he referred to it as showing the feeling in that State; but I would put against it the conduct of the people during our troubles with the Boers, and the friendly action of their President. Nor do I believe that, at this time, there is at the Cape any strong sympathy with the Boers. On the contrary, I have good authority for believing that the Cape Government would be very glad to see us put an end to these raids and restore peace. It is clearly for their interest that the Natives just North of Griqualand should be quiet and well-disposed. I hold, therefore, that it is incorrect to say, as the Prime Minister did, that a strong sympathy possessed everyone from one end of the South African settlements to the other. The Under Secretary of State contended in this House that the Transvaal Government were unable to restrain these marauding Boers. But Sir Hercules Robinson entertains a very different opinion, and his opinion is the more striking, as for some time he believed, and stated this belief in more than one despatch, that the Transvaal Government were really unable to restrain these raids. But after the Reports of officers sent into Bechuanaland, and the later Reports of the Resident, he came to a very different conclusion. On July 6, 1882, he writes—

> "If the Transvaal Government were really in earnest in putting an end to these discreditable proceedings, they would do so by calling in their subjects, or confiscating their property."

And in his despatch of January 22, 1883, he says—

> "After carefully perusing these papers (Mr. Rutherford's Report), it appears to me difficult to resist the conclusion that the Transvaal Government are morally responsible for these proceedings."

And—

> "This state of affairs, which has now been going on since September, 1881, cannot have been unknown to the Transvaal Government. No secret has been made of the names of the leaders at each laager, who were well-known burghers; and the great majority of the freebooters amongst both Moshette and Massouw's volunteers were Transvaal subjects. Nevertheless, the Transvaal Government, when invited by me to join the Imperial and Colonial Governments in combined action against the marauders by sending a small force to arrest their own subjects who were violating the neutrality proclamation of their State, declined to take such a step, which was well within their means and ability. It appears to me, therefore, that the Transvaal Government are fairly open to the imputation of having connived at those discreditable proceedings."

I will state another reason which strongly tends to prove complicity on the part of the Transvaal Government. It must be remembered that, from the first, the Boer leaders protested against the frontier line fixed by the Convention, and they prophesied troubles which would necessitate a change of it in their favour. It may, therefore, be reasonably assumed that they were not sorry for these raids and troubles, and would not interfere, though they could have done so with effect. What does Sir Hercules Robinson telegraph on July 9, 1882?—

> "Hudson has interviewed Transvaal Government who say no chance of serving Mankoroane and Montsioa unless territory of Massouw and Moshette placed under Transvaal jurisdiction. If this agreed to, Vice President would send force to restore peace upon basis of new boundary."

In other words, if the boundary was altered in their favour, peace should be restored by force. What is this but an admission of the power of the Transvaal Government to keep the peace if they were so inclined. This proves "complicity," and destroys the theory that they were "unable to restrain." It is to be observed further, with reference to breaches of the Convention, that though this discussion has mainly turned upon the cases of Montsioa and Mankoroane, the Boers have been encroaching on Zulu territory. They retired in the winter of 1881, in consequence of the remonstrances of Sir Evelyn Wood; but Mr. Hudson, in November, 1882, reports that—

> "They repeated the trespass to even a greater extent during the last winter, and there is no doubt that they will continue to move into Zululand until steps are taken to prevent them."

They have also severely treated, or connived at maltreatment and robbery of, a loyal Native Chief, Ikalafyn, within the Transvaal. This Chief, whom Sir Hercules Robinson reports to have been always friendly to the English, erected some walls at his kraal, and it was urged that this showed his "intention" to join with Montsioa against Moshette. He was fined 3,500 head of cattle for this "intention," of the value of about £21,147. This was paid; but he was also plundered by Boers, who have not been arrested, although they are well known. In July, 1882, Sir Hercules Robinson says—

> "I am assured by reliable authority that, between the authorized and unauthorized raids upon this unfortunate Chief, 'a clean sweep has been made of everything in his country larger than a domestic fowl.' A few months ago, Ikalafyn was a wealthy and prosperous man; but now, although he has never been accused of any graver act than 'intention,' he is so impoverished that he is stated in the latest telegrams to have been obliged to proceed to Pretoria, to sue for time, being unable to pay his hut tax."

I believe, Sir, I have established the two positions which I laid down—First, that we have incurred obligations to the Natives both within and without the Transvaal; and, secondly, that the Transvaal Government have connived at the breaches of the Convention. But if I have established the first proposition, surely there is enough to show that the Government are bound to do more than compensate the Natives for losses, to secure them against which the Convention was framed, and the Suzerainty retained. Surely they are bound to uphold in the future a performance of the Convention by the Transvaal Government, whether that Government has hitherto failed to insure such performance by inadvertence, inability, or, as I hold, by deliberate complicity in the breaches of it. Before going further, I should like to put one or two questions to the Government, to make clear their position and test their views when the Convention was made. Did they at the time believe that the Boers would observe the Convention? If they did, then, looking to the conduct of the Boers with reference to the Sand River Convention; to their dealings with the Barolongs since 1870 and before; to the fact of the annexation by Proclamation in 1877 of Bechuanaland; and to the state of things in 1881, and the avowed discontent of the Boer leaders and Volksraad with the terms of the Convention, they showed a want of foresight and judgment which is almost inconceivable. No, Sir; they must have contemplated probable breaches of the Convention by the Transvaal leaders. If so, did they believe that the Boers would yield to moral, or, as it was called in "another place," "salutary" influence? If they did, they again showed an easy credulity and want of knowledge of Boer character which can hardly be credited. They must, as responsible statesmen, have considered what they would do if the Convention was broken, if the Natives were attacked, and if they were called upon to fulfil their obligations. Did they, then, decide that they would not use force to compel observance of the Convention, and to protect the Natives? If they did, then they grievously misled this country in putting forward the Convention as a sufficient protection to the Natives when challenged by Members on both sides of the House upon this point. If they did, they played a very sorry farce—a tragedy, indeed, to the Natives, who trusted to us—when they held up before us this Convention, of which they did not mean to enforce the observance. I can hardly believe this of the Government. I believe that at that time, as now, they had no distinct policy, and that they did not choose to face the consequences of any breach of the Convention. They hoped all would go right; but they shut their eyes to the grave probabilities of the case, determined, as they were, at all hazards, to get quit of the Transvaal. And we are now in these difficulties owing to this conduct. Let me, in passing, point out what might have been done to secure observance of the frontier and the protection of the Natives. The Transvaal Government might have been bound to keep up, in combination with Her Majesty's Government, and at their joint expense, a mixed body of frontier police, for, say, five or eight years. It may be said that the Transvaal Government would have failed to perform this engagement, as they have failed to perform other terms of the Convention. But, in the first place, it is a more difficult thing to avoid the performance of a substantive obligation, as, for instance, to provide a police force, than of a negative clause, as, for example, not to encroach, not to do such and such things. And, in the second place, a clause would have been inserted, reserving power to Her Majesty's Government in such case to provide and keep up a body of police at the joint expense of the two Governments. Then, again, it may be said that the Boer police would have joined the raids against the Natives, as, in fact, they have done. But they have done so, because they were not checked by the Transvaal Government; and it would have been very different if they had been joined with Europeans commanded by a European, and under the eyes and direction of our Government, as well as of the Transvaal Government. The expediency of having such a police has been recognized by Sir Hercules Robinson and by Lord Kimberley. It would have checked inroads from either side of the frontier line, and would have afforded ample protection to the Natives. At the same time, very decided attempts should have been made to unite the Natives, and settle the questions as to boundary and paramountcy, the fruitful causes of their dissensions. The necessity of unity might have been enforced upon them with the greater force, as we should have been protecting them by the frontier police within the Transvaal; and Sir Hercules Robinson, in July, 1882, states that he could,

> "As High Commissioner, select an impartial and independent Commission to undertake such a work."

It is not for the Opposition to suggest what should now be done. But I am disposed to think that even now steps might be taken in the direction of establishing a frontier police, either in the Transvaal, with the assent of the Transvaal Government, or outside the frontier, with a Resident, as suggested by Sir Evelyn Wood, in his dissent to the Report of the Commissioners in August, 1881. And attempts should be made to unite the Chiefs and to settle all boundary questions by a well-chosen Commission. No doubt, expense would be incurred; but this country would readily incur it to support their honour and character for loyal observance of engagements. Such a course would not lead to annexation, as the Prime Minister seemed to fear, but the reverse. To secure the unity and independence of Native Chiefs would be the object; and I am not prepared to advocate the permanent protection of the Natives, or the assumption of authority over Native territory. Nor would it lead to war—though one, of course, must be prepared to face this contingency. The extraordinary want of firmness shown by the Government, and the concessions so hastily granted in 1881, may, of course, make the Transvaal Government more inclined to resist; but if even now Her Majesty's Government would be really firm and decided, and show that they were determined to enforce performance of the Convention, I believe the Transvaal leaders would give in. They must know that in the end we should conquer. A war would be expensive to us, but ruinous to them. They would lose the power they have now gained—the freedom of their country would be endangered. I desire to say a few words as to the proposals in the Government Amendment to make "adequate provision for the interests of any Chiefs who may have just claims" upon the Government. This is, to begin with, very vague, and it was rendered still more vague by the answers given from time to time by the Under Secretary to questions put by Members upon the subject. Adequate provision can only be made in money or land. But is money compensation to be made to the Chiefs only, or to the Tribes as well? It is not only the Chiefs who have suffered; and yet it would seem that they only are to receive money compensation. Then, again, as to locating them elsewhere. If the Chiefs only are to be removed, is it likely that they will be willing to leave their people, their land, and power, greatly diminished though it may be, to become pensioners elsewhere? If the Tribes are to be located elsewhere, where can sufficient land be found? I doubt whether it could be found. But, secondly, even if this policy can be applied to the cases now before us, it cannot be carried out beyond a certain extent. What will the Government do if the Transvaal Government continue to set at naught the Convention? Looking to the action of the Boers in Zululand, and to the one case of dealing with a Native Chief within the border, the Government must face the possibility of further breaches of the Convention, especially if the Transvaal Government know that their action will not be checked. What will the Government do if the Transvaal Government put in force laws against the Natives not sanctioned by Her Majesty? What if they break Articles 12 and 13 of the Convention? Her Majesty's Government must or ought to have made up their minds as to what action they will take in such cases, and the country has a right to know. Compensation must fail in such cases. Are we, then, to remonstrate—to trust to moral influence? Such a policy is not only discreditable and half-hearted, but it must end in failure, and land us in those very troubles which we are anxious to avoid. In truth, there are but two courses to choose between, and any attempt to take an intermediate course will almost certainly fail. One course is to decide to uphold the Convention, to enforce observance of it, and to fulfil our engagements to the Natives. But if the Government finally decide not to enforce the observance of the Convention, but only to trust to moral influence; if they are prepared to stand by and let these scandalous raids against our Native allies be continued; if they are prepared to let enforced Treaties with the Natives have practical effect given to them, thus setting at naught the decision of Her Majesty as Suzerain; in short, if they are not prepared to uphold our engagements, even at the risk of hostilities, then we had better adopt at once the other course. We had better clear out of the Transvaal altogether, abandon the Convention, and, alas! the Natives within and without the Transvaal; renounce the Suzeranity, which would in such case not only be a sham, but would make Her Majesty and this country indirectly, if not directly, responsible for the discreditable and cruel action of the Boers. I do not conceal from myself the gravity of taking this course, and the effect it may have in South Africa. It must render our government there more difficult; it may embitter our relations with the Natives in our own Colonies; it will certainly lower us in their eyes and destroy their faith in our honour; it will hamper us in dealing with Natives in Zululand and the Transkei districts, where troubles must be expected. Such a step is not only dangerous, but it is also humiliating. It is probably for the first time in the annals of this country that it has been possible to bring a charge against us of desertion of our allies, and of failure to uphold our engagements, which could not be refuted—

> "Pudet hac opprobria nobis,
> Et dici potuisse, et non potuisse refelli."

But, at all events, we should be relieved from a position which is intolerable; from a moral responsibility for actions which we are not prepared to control, and for outrages which we are not prepared to check. I believe that one of these two courses must be taken. I advocate the more firm and dignified policy of standing by our engagements. I deny that this should be called a war policy. We who advocate this course believe, on the contrary, that it is more likely to prevent than to create hostilities. But even if hostilities should arise, if loss of life and money has to be unfortunately incurred, this country would rather face that loss than abandon principles of which our loyal observance has hitherto earned us the respect of other nations.

Mr. E. A. LEATHAM: Mr. Speaker, I do not rise to reply in minute detail to the speech of my hon. Friend who has just sat down (Sir Heny Holland), which was directed chiefly to the Treasury Bench, and to which, therefore, I think the House will expect a reply from the Treasury Bench. But I should like to say a few words in this debate; because I think it important that the Government should know how their policy with regard to the Bechuanas is regarded in the great constituencies of the North, for one of which I am entitled to speak. And this is the more requisite because of the speech of my right hon. Friend the Member for Bradford (Mr. W. E. Forster), who represents another. So far as I can ascertain, there is only one feeling with regard to the proposal to interfere in the last resort by force of arms, and that is, that any such interference under existing circumstances would be a positive prostitution of the resources of the country. Now, we are asked to interfere upon three grounds—Because these Bechuanas are our allies; because we have made the Convention with the Boers; and, my right hon. Friend the Member for Bradford, has added, because if we do not interfere, the settlements of the Missionaries, which are scattered through this country, will be endangered. I think the plea as regards the Missionaries may be dismissed at once. The Missionary possesses no public character whatever. So far as the State is concerned, he is a religious freebooter, filibustering upon the territory of other religions. We all wish him well, because we share his views; but it is his peculiar glory that he goes forth with his life in his hands, and this is not a distinction of which we desire to deprive him. If it be once understood that, wherever the Missionary chooses to penetrate the Army of England stands behind him, the sooner we double that Army, or pass an Act of Parliament to recall all Missionaries in exposed situations, the better; nor do I think that the cause of Christianity is to be advanced by bloodshed and devastation. But then we are told that these Bechuanas are our Allies, and that it is a base thing to desert your Allies. But what are Allies? I have always understood the definition of Allies to be this—States which have entered into a league for mutual defence. Now, into what league have we entered with this people? My right hon. Friend himself tells us that we have made no Treaty with them; and, as regards mutual defence, he tells us further that the country would have scouted the idea of asking military assistance from them. Now, what kind of an alliance is it in which there is not only no league, but no possibility of mutual defence? Yet, if these people were Europeans, if they were bound to us by a solemn Treaty, if they were marching their forces side by side with ours for common purposes of offence and defence, you could hardly ask more for them than is asked by my right hon. Friend. They are, in fact, friendly Natives; that is all—who have received acts of kindness from us and returned them; and, as friendly Natives, they are proper objects of our sympathy, and of our good offices, when we can render them without too great risk or damage to ourselves; but to say that they have done anything in return for which we ought to go to war on their behalf is about as absurd a travestie of the idea of national obligation as I ever heard. But then we have entered into a Convention with the Boers. The hon. Gentleman who has just spoken almost spoke as though the Convention were with the Bechuanas. If it had been with the Bechuanas, they might have claimed something under it; but since it was with the Boers, and with the Boers alone, surely it is with us to say how far we care to insist upon all its stipulations. But no doubt we shall be told that, when a great country acquires rights by Treaty, the enforcement of those rights becomes a duty. Well, but what if there are other duties which conflict with it? What if we have to make a choice between conflicting duties? And what if the duty which conflicts with this relative duty is the paramount duty of consulting and protecting the interests of those who send us to this House? One would have thought that the use of the word "Suzerainty"—itself a quaint and obsolete term—would have warned hon. Members that any obligations arising under it must be of a somewhat hazy and indefinite character. Whatever it might mean, it certainly did not bind us, for all time, to undertake the whole police of South Africa. Whatever the Convention might mean, it could not bind us to make war again upon the Boers, for the protection of a Black man here and there, when, at the very time of our making it, with all our forces on the spot, we refused to continue a war which was actually in progress for such an object as the retention of a portion of the Empire. We made that Convention not because we had not the means of coercing the Boers, but because we shrank from the consequences of that coercion, because we shrank from the very consequences which my right hon. Friend is labouring to bring upon us. We were not prepared to go on annexing and annexing; we were not prepared to prosecute the policy to which Sir Bartle Frere has given his name; to send British Residents here, and British expeditions there; to fancy every Black man we met either an Ally or a foe; to bolster up one savage at the expense of another, not because we cared a straw for either—but because this perpetual intermeddling in the interminable squabbles of this region of violence enabled us to get a foothold everywhere, and, finally, when the right time came, quietly to absorb everything and everybody. No doubt, when the struggle was over, those who, under the guise of friendship for us, had indulged their tribal or personal animosities, found themselves with very awkward neighbours. Grudge and resentment in that region are very apt to take the form of violence and outrage. But the proper defence against these isolated outrages is an effective combination among those who are threatened with them. And if those who are threatened with them are too supine, or too cowardly, or too jealous of one another to combine, is that any reason why we, who are thousands of miles away, should shed our blood and empty our pockets in order that they may quarrel with impunity? Sir, I rejoice that the Government has resisted the dangerous—I fear I must say the desperate—philanthropy and the ruinous good nature of my right hon. Friend, and I shall certainly vote with them.

LORD JOHN MANNERS said, he was not sure that the Government would be very grateful for the intervention of the hon. Member who had just spoken in that debate. The hon. Member's charges were directed much more against the Convention of Pretoria than anything else, and his final argument could scarcely find favour with the Government when the hon. Gentleman denounced the Missionaries of this country as freebooters, as filibusters. He wondered what would have been Lord Derby's sensations if he had heard such a vindication of his policy before he received the influential deputations from the Missionary Societies. The hon. Gentleman said that the unfortunate Bechuanas were not our Allies; it did not matter what Sir Hercules Robinson, or Sir Henry Bulwer, or anybody else said; they were not our Allies, and we were not bound to take any notice of them. Was that the view of the Government when they entered into that Convention? Was that the view of the House when it sanctioned the Convention? Was it intended by the Convention that those friendly tribes were to be subjected to those outrages, that pillage, that decimation which had been inflicted upon them without a finger being raised by the Government in their defence? The only way in which the speech of the hon. Member and other speeches could be justified was by admitting that when the Convention was sanctioned it was necessary to magnify its provisions, and to make it appear that those friendly tribes were not to be disregarded and to suffer the cruelties which had been inflicted upon them, and that the great enterprizes of those Missionaries who were now treated as freebooters were not to be ignored. But now that the Convention was a thing of the past, those independent supporters of the Government asserted that the Convention was a mere agreement between the Boers on the one hand and the British Government on the other, and that the Natives had no concern in it, no right to be protected under it; and it was perfectly lawful and right for the Government, after careful consideration of all the circumstances of the case, to decide on what course they should adopt; and as it would require, according to the Prime Minister, 2,000 men to enforce the Convention, quietly to set it one side. But the hon. Member went further, and said that the term "Suzerainty" had no definite meaning, and did not bind us to anything. But in both Houses of Parliament the Government attached great importance to that word. In the House of Lords there was one remarkable speech which would be remembered as long as the English language remained. He referred to the speech of Lord Cairns. To that speech no less a person replied than the Lord Chancellor, and, among other questions, he dealt with that word. But did the Lord Chancellor say, like the hon. Gentleman who had just sat down, that the term meant nothing?

MR. E. A. LEATHAM said, that he had said that under such a term the claims to which we were bound were of a shadowy and indefinite character.

LORD JOHN MANNERS said, that was not the language of the Lord Chancellor. The Lord Chancellor said —"Suzerainty means nothing if it does not mean that the Suzerain is Lord Paramount to the people who are subject to him." Perhaps the hon. Gentleman would see that that applied to the people of the Transvaal, Boers as well as Natives. But there was a further explanation from the Prime Minister. The term "reserves," said the Prime Minister—

> "The foreign relations as a most important element, because any large portion of the Native interests involves the Natives beyond the frontiers of the Transvaal. Therefore, the whole interests of the Natives beyond the Transvaal will be retained in the hands of the British Government."

How? "By the retention of the Suzerainty." That was not all. The President of the Board of Trade said—

> "The only thing that remained was the difference between Sovereignty and Suzerainty. Whatever meaning Gentlemen opposite might attach to that difference, he ventured to say that, for all practical purposes, no distinction could be established with reference to our obligations to the loyal settlers and Natives; and full compensation would be exacted for damage, not only actually inflicted upon their lives and properties, but for all damage following upon the war."

Thus, the right hon. Gentleman said there was practically no difference between Suzerainty and Sovereignty. Did it not occur to the House that every one of the difficulties which had been pointed out must have been present to the mind of the right hon. Gentleman when he signed this miserable Convention? The right hon. Gentleman reminded them that some 30 years ago he had solemnly warned Lord Grey of the great difficulties he would have to encounter at the Colonial Office in respect of matters connected with South Africa. The right hon. Gentleman made a great point of Lord Grey. His Lordship had, however, responded to the occasion, and, in an admirable letter in *The Times* of that morning, had given the country the benefit of his deliberate opinion on this subject. In future, he thought the right hon. Gentleman would be a little shy of appealing to the authority of Lord Grey. They were not, it seemed, to consider the Missionaries or the Native Allies. They were to consider nothing, according to the hon. Gentleman who had just sat down, but pounds, shillings, and pence. But was the hon. Gentleman, and were Her Majesty's Ministers, so thoroughly assured that they had considered the pounds, shillings, and pence argument sufficiently in this matter? Were we to set aside all considerations in respect of trade and commerce in South Africa? Were we to set aside the very remarkable documents which appeared in *The Times* that morning on behalf of the South African Association? He had not had time to verify the figures relating to the exports and imports between South Africa and the United Kingdom during the past year; but he believed they must amount to no less than £12,000,000. That was a consideration which ought to be present to the minds of hon. Gentlemen. He would read a sentence from the document to which he had just referred. The South African Association said—

> "We desire to express our earnest hope that Her Majesty's Government may, at this critical juncture, see the fitness—we had almost said the necessity—of adopting and pursuing a policy of resolute firmness in support of law and order with regard to those who have recently disturbed or attempted to disturb, or who may hereafter in any way attempt to disturb, the public peace in any of the extra-Colonial territories, subject to the Suzerainty of the Queen, which are close to, or border on, Her Majesty's Colonies in South Africa."

These eminent merchants appear to recognize very clearly the right course which Her Majesty's Government ought to pursue. It seemed to him that in this matter Her Majesty's Government had against them almost every authority to which that House was in the habit of listening. They had heard the right hon. Member for Bradford. They knew what were the opinions of Lord Grey with his long experience. They had just heard the admirable speech of his hon. Friend the Member for Midhurst (Sir Henry Holland), and the other day they listened to two most eloquent and stirring speeches from two hon. Members who had had recent experience in South Africa — the noble Lord the Member for Argyllshire (Lord Colin Campbell) and the hon. Member for the North Riding (Mr. Guy Dawnay). And now they had the authority and the earnest advice of the South African Association as to the commercial feeling of that considerable section of the community. What had the Government to set against this remarkable weight of authority? They had heard the speech of the hon. Member who had just sat down, and they had heard the long and laboured speech of the Prime Minister, which was one continuous plea against the Convention from its inception to the present moment. And now they had to consider what was the policy, or the working called a policy, which Her Majesty's Government proposed for the acceptance of the House. It was extremely difficult to know how they could criticize and lay bare this policy of Her Majesty's Government. It was brought forward in a most inconvenient and almost an un-Parliamentary manner. There was an Amendment on an Amendment, and that Amendment was again amended. They hardly knew where they were; but they must look at the speech of the Prime Minister, rather than at the Amendment itself, for the definition of this policy. About three weeks ago Lord Derby received a deputation from a Wesleyan Missionary Institution, and told them that the Government hoped to be able to remove, not only a couple of the Chiefs, but also a number of the people to other territories.

Mr. EVELYN ASHLEY, interposing, said, he was present, and that the noble Lord's remarks had been misreported.

Lord JOHN MANNERS thought it was a misfortune, in that case, that three weeks had been allowed to elapse before it was contradicted. They were now given to understand that Lord Derby did not say anything of the kind, and what he really did say remained a mystery. Stripped of verbiage, what did the proposal of the right hon. Gentleman amount to? Instead of the firm vindication of the 18th section of the Convention of Pretoria, we had a miserable attempt to bribe away the Chiefs from their tribes, and to leave the 25,000 Natives to the tender mercies of freebooting and filibustering Boers, and British deserters. Did the right hon. Gentleman really believe that by pensioning off a couple of Chiefs, and leaving their subjects to be plundered or destroyed by these marauders, he had settled this question? As the hon. Member for Midhurst (Sir Henry Holland) had pointed out, a precedent of this sort was certain to be followed. The right hon. Gentleman talked of the difficulty of enforcing the Convention on the West Frontier of the Transvaal; but was the difficulty greater, or the obligation more sacred, in enforcing the Convention on the North Frontier or in the Transvaal itself? There was no portion of the Convention more imperative in the terms of it than this defence of the loyal Natives on the Western Frontier. They might disguise it as they could; they might make what excuses they pleased; but the Convention was as dead as Julius Cæsar. It lay dead on the floor of that House, killed by its authors. Two years ago many Englishmen thought that no nation had ever undergone greater humiliation than was inflicted upon them by the signing of this Convention. They were deceived. Below the lowest depth there was a lower still in the abandonment of the Convention by the Government who made it. He trusted that the House, irrespective of politics, and that hon. Members, on whatever side they might sit, would at least spare this country the further degradation of inscribing upon the Journals of the House the miserable, paltry, pitiful, and huckstering Resolution of the Prime Minister.

Mr. CHAMBERLAIN: Sir, the noble Lord has made, as he always makes, an extremely vigorous and somewhat interesting speech; but, if I may venture to say so, it wanted one thing—a logical conclusion. I have noticed during the whole course of the debate to-day that the cheers of hon. Members opposite have followed upon everything in the speeches which enforced on the Government the duty of going to war in order to maintain the Convention. There was much of that enforcement in the speech to which we have just listened; but when I come to the Resolution for which hon. Gentlemen opposite are going to vote, I find nothing whatever to that effect, and therefore it is perfectly evident that hon. and right hon. Gentlemen opposite are going to make warlike speeches, and are going to pass a peaceful Resolution. If the House inquires what is the reason for this, I think they will find that it is very safe to pass a Resolution to the effect that the Government ought to have gone to war two years ago; but it would not be safe, in the present temper of the constituencies, to support a Resolution that the Government ought to go to war now. There are two issues of very different importance raised in the course of this debate. The first was raised by the hon. and learned Member for Chatham (Mr. Gorst), and also by the right hon. Member for Bradford (Mr. W. E. Forster, and it is this—What remedy can we find, or ought we to suggest to the consideration of the Government, for the present, or at all events for the recent, state of affairs in Bechuanaland? Both the hon. and learned Member for Chatham and the right hon. Member for Bradford are consistent in entering upon this question, for this is not the first time they have shown an interest in these Native Tribes. After the Prime Minister had replied at length upon this part of the debate, a new issue was raised by the right hon. Baronet the Member for East Gloucestershire (Sir Michael Hicks-Beach), and with equal consistency, for in times past the right hon. Baronet has taken part in the discussion of the affairs of South Africa, but he has not shown any sympathy with Natives who have been subjected to ill-treatment. What the right hon. Baronet wants to do is to apportion, if he may, the blame for the state of things which has arisen; and, above all, to fix it on the shoulders of the Government. I do not deny that this is a matter of considerable interest to the Government; but it is of no importance whatever to the people in Bechuanaland, for whom so much sympathy has been expressed. The first of the issues to which I referred is one in which I believe the whole of the House will feel an equal interest. The other is less important, and is a mere incident of Parliamentary strategy. But I will take the less important issue first. The grounds of the accusation against the Government are that they assented, two years ago, to the retrocession of the Transvaal, and that we gave our assent without having first inflicted a sanguinary defeat on the Boers when we had the military power to do so. I do not know why we are called upon to go over that issue again, for we defended ourselves at the time, and I believe we had the great bulk of the country with us. We said then that we retired from the Transvaal when we found that the annexation of the country had been made upon false information, and under the mistaken assumption that the majority of the people desired it. We knew the annexation was in distinct violation of the Sand River Convention, unless it could be shown that the Boers were in favour of it. The hon. Member for Midhurst (Sir Henry Holland) said that if we had retained possession of the Transvaal we should have had with us a considerable portion of the Dutch burghers. But that is absolutely contrary to the information in our possession, contrary to the Report of Sir Garnet Wolseley, and contrary to the inference that may be drawn from the fact that a Petition signed by 7,000 of adult Boer males has been presented against the annexation, and that at a time when the whole number of Whites in the Transvaal was only about 8,000 men. No doubt there were some of the English settlers who preferred British rule; but of the Dutch population I do not believe there was even a fractional percentage who were not absolutely opposed to the annexation. When we discovered these things we asked ourselves what right we had to be there, and it was upon that consideration that we decided to leave the country. As to our duty, under these circumstances, to have continued the war after we had determined to abandon the territory for the purpose of revenge, and to maintain our military prestige, it was, and it is, our opinion that that would have been an act of unparalleled wickedness. But suppose we had remained, what would have happened? Assume we should have defeated the Transvaal Government with the forces which Sir Evelyn Wood had at his disposal, we should have had to maintain a permanent occupation of the country; and it is not certain that we should not have found ourselves faced with a general uprising of the Orange Free State and the whole of the Dutch people. A near relative of a Member of the Cape Government told me the other day that at the time of the retrocession we were within a few weeks of a general uprising of the Dutch population. That would have been a more serious and a greater disaster than any we are now considering. Not only so, but in all probability the Boers would have done what they have done on two previous occasions; they would have resented any attempt to re-establish our hated rule, and they would have once more "trekked" into the wilderness, where we might have once more been tempted to follow them. The difficulties and conflicts with the Native population would have arisen afresh, and we should have had to determine whether or not we would again impose our rule upon these people. I would ask hon. Gentlemen opposite, who take the view that in 1881 we ought to have pressed our rule on the Transvaal, why should they not be consistent? Why do they not put in their Resolution a statement that we ought to go to war now to force our rule on these people? The situation is the same now as it was then. It would be as easy for us to secure the subjugation of the Transvaal now as it would have been two years ago. But they dare not face the difficulty when it is a present difficulty, and they only think it safe to put it in their speeches with reference to past times, with regard to which it can have no practical effect. Then we are asked—"Why did you make this Convention, if you had decided to give up the Transvaal, if you knew that it would not be observed, and if you determined that you would not enforce it?" In the first place, I say we had not at that time determined to exclude altogether the idea of the possible employment of force in order to maintain any portion of the Convention, and we do not exclude it now. The Prime Minister expressly said we reserved all our rights under the Convention; but we also say that we are entitled to consider each circumstance as it arises upon its merits, and to determine, with a full knowledge of all that has happened, whether a particular case is one in which material intervention is desirable or necessary. With regard to the other point, we really have not the gift of prophesy, and we could not have foreseen whether or not the Boers would in every particular observe the Convention; but I will go further and say that I think we had every reason to believe that the Convention would, on the whole, be faithfully observed. We may have been too sanguine. I do not deny it. Recent events have shown that, to some extent, we have been so; but were we wrong to take from the Boers an assurance of their intention to do what we desired them to do, even though it has turned out that the assurance has been insufficient and the guarantees have proved fallacious, and even though, in the present instance, we are not prepared to enforce them by material intervention? I ask hon. Gentlemen distinctly if it is our crime that we have made a Convention which has turned out to be ineffective? I need not ask the question, because that is the charge, and it appears in the Amendment of the right hon. Member for East Gloucestershire (Sir Michael Hicks-Beach). Our position appears to hon. Gentlemen opposite to be very ludicrous. I think they ought to be more considerate to us. [An hon. MEMBER: Why?] We are not the only Government who made a Convention. The late Government also made a Convention. It was a secret Convention. Ours is an open one. In their Convention they took from the Sultan of Turkey certain engagements. They took definite engagements from the Sultan in regard to the good government of the people of Armenia and other Christian subjects. Did they know at the time they made that Convention that it would not be fulfilled? Did they at the time have any intention of enforcing it? They certainly seem to me to have been more sanguine even than we were if they expected it to be fulfilled; and I have proof that they did not intend to enforce it. No step was taken during the time of the late Government for carrying out that Convention. Did right hon. Gentlemen opposite propose a material intervention? Did they propose to go to war to enforce that Convention? Not a bit of it. Did they intend to go to war? No. Because Lord Salisbury has declared publicly—it is one of the charges brought against us—that we have alienated our old Ally by a threat of Imperial intervention in order to force him to carry out that Convention. I say that, under these circumstances, ludicrous as our position appears to be to hon. Gentlemen opposite, it is not half so ludicrous as the position of those hon. and right hon. Gentlemen themselves. And those who live in glass houses should not be so ready to throw stones. Now, if the House was to get at the real cause of the position in which we find ourselves they must not stop at the time of the making of the Transvaal Convention. They must go back a good deal further. They must go back further even than the late Government; but for my present purpose it is enough to go back to the late Government, and I say our position is due to their policy of meddlesome intervention in all parts of the world. That policy led to the annexation of the Transvaal. It led subsequently to the Zulu War, and the war with Secocoeni, and it destroyed the power of the only Native Chiefs who were capable of holding their own against the Boers. I come now to the more important issues that have been raised; and they are, What are the remedies for the present state of affairs? And let me say, in the first place, that in this branch of the subject there seems to be a very general agreement amongst all who have spoken. They have agreed that these Chiefs have been lately very hardly used, that they are the victims of oppression and tyrannical injustice. We are agreed that these two Chiefs have special claims upon Her Majesty's Government. I do not admit that these claims arise out of the fact that they have been our Allies. I do not admit that they arise out of the fact that we have made a Convention with the Boers; but they do arise out of the distinct pledges which have been given to them by the officials of Her Majesty's Government. Then, I am afraid, we must say of the Transvaal Government that in reference to this matter they have either been unable or unwilling, or both unable or unwilling, to restrain these outrages. The only reason why the Prime Minister has made the alteration in his Amendment which caused so much confusion to the hon. Baronet the Member for Midhurst (Sir Henry Holland) is that he did not think it fair to ask the House to commit itself to the proposition that the Transvaal Government were unable to restrain these outrages. They may have been; but we have no information to enable us to speak with confidence. They may have been unable and unwilling; but their unwillingness may be due solely to their inability. I go one step further, and say that I think we are all agreed that, in the course of these proceedings, the Transvaal Government have violated the spirit, and I think also the letter, of the Convention. It will be observed that I have admitted a great deal; but still, in the interests of the truth, do let us try to establish the actual circumstances of the case. Do not let us be led away by our sympathies for people who have been injured, and over-estimate their case or exaggerate their claims. As the Blue Books show, there is a good deal to be said on the other side. Let us take the case of Mankoroane. He has been continually at loggerheads with the Transvaal Government or the inhabitants of the Transvaal. He has also been periodically engaged in opposition to the other Chiefs; but his recent troubles began in 1881. He was then attacked by a Chief called Massouw, who set up a claim as to the permanent Chieftainship of the tribe. Massouw was assisted, as I am inclined to think, by the White Volunteers, and these were paid according to the policy which had been adopted—and, over and over again, winked at by the English Government—by our own Colonists; half by booty and half by a farm to be allotted to them, in the enemy's country. It has sometimes been said that the reason why these people have been attacked is because they are the faithful Allies of the English. That is clearly not the case, because these difficulties arose many years before the war in the Transvaal. But it is also shown not to be the case, because these volunteers are not entirely volunteers of the Transvaal State. They are volunteers from the Orange Free State, from Griqualand West, and from the Cape Colony. The real fact is that all these men are animated by self-interest, and by a particular kind of land hunger which seems to exist to an aggravated extent amongst the Dutch population of South Africa. On the 14th of September, 1880, Sir Bartle Frere wrote to Mankoroane, saying—"If he obeys orders, he may rely on every reasonable support." That is a claim which I think those Chiefs can establish, and which we are bound to acknowledge. The only orders which they did receive were to keep quiet, not to attack the Boers, and to shelter any refugees who might seek refuge in their territory. No doubt they did obey these orders. This message of Sir Bartle Frere to Mankoroane was not communicated at the time to the British Government or approved by them. At the same time, we are bound to consider the action of our officials. If it had been communicated to us, if we had any voice whatever in the matter, I certainly do not think that we, or any Government, would have agreed to give an unqualified promise to support Chiefs such as those of whom I am speaking. What is the history of Mankoroane? Only two years before the pledge of support in 1878, Colonel Warren wrote accusing him of

> "Pertinacious harbouring of rebels, and while holding out one hand to us, he has been assisting our enemies with the other."

In fact, his conduct was so suspicious that Colonel Warren established a kind of protectorate over his country, which probably would have led to annexation if Colonel Warren's action had not been very wisely repudiated by the late Government. Surely a man of this kind, who, only two years before, was playing this double part, is not exactly the kind of man to whom unqualified support under all circumstances ought to be given. I do not think the pledge of support, although it is a strong one, is to be interpreted as being an unqualified pledge. We were to give him "every reasonable support." That does not mean that we are to support him with the whole force of the British arms whenever he gets into trouble, whether right or wrong. Surely a pledge of that kind entitles us to consider the circumstances under which he got himself into difficulties. In the Blue Book it will be found—

> "As regards the war between Massouw and Mankoroane, the latter is to blame for its commencement."

Again, in a subsequent letter—

> "Mankoroane commenced the war with Massouw, without sufficient reason, relying on the

assistance of the British Government should he be defeated."

Now, I turn to the case of Montsioa. In his case, as in the case of Mankoroane, recent difficulties cannot be said to have arisen out of the Transvaal War, because it appears from the Papers that Montsioa had been in contest with the Boers, more or less, during the last 30 years, since the Sand River Convention; and at one time he was so badly beaten that he was driven away from the territory, and only came back afterwards in consequence of the Keate Award. The latest disturbances arose in 1875. Montsioa says the difficulties arose when Matchabi stole two of his horses. He was a subordinate Chief, but under allegiance to Moshette. This chapter of the struggle was closed in 1881; and I desire to call the attention of my right hon. Friend the Member for Bradford (Mr. W. E. Forster) to the account given in the Blue Book, and the result of the final struggle in this contest. It there appears that Montsioa made a treacherous attack by night upon the kraal of Matchabi, when he killed 71 men and burned alive 12 women and children, afterwards mutilating the dead, cutting the heart out of one man's body, and skinning six other men. These, my right hon. Friend says, are not savages. I should like to know what definition of civilization and Christianity my right hon. Friend would propose which would include those who flayed men and burned women and children as ordinary incidents? What I wish to ask is this—Are these people, whose past history I have described, whose actions are common enough amongst all savage people, are they the kind of people in whose intertribal disputes we are bound to interfere, and for the settlement of which we are bound to expend the life of a single soldier, or expend a single pound of British taxation? I confess it seems to me that anyone who has studied these proceedings will come to the conclusion that while we are bound to recognize some reasonable claim for support, it would not be reasonable, practical, or expedient that we should acknowledge a claim to send an Army for the protection of these people, who have been defeated in their struggle. I come now to consider the conduct of the Transvaal Government. I have already pointed out that the Transvaal Government are not alone concerned in this matter. These freebooters, according to the Report of Mr. Hudson, consist of British deserters and volunteers of the Orange Free State and the Cape Colony; and when the English Government appealed to the Orange Free State and the Cape Colonists to join with them and the Transvaal to send a police force to clear the country, it was not the Transvaal Government only that refused, but the Orange Free State and our own Colony. There is no use blinking the fact that the opinion of the Dutch population, which constitutes the majority of the Cape, is altogether opposed to what they consider the sentimental and humanitarian views of this House and Her Majesty's Government. I only mention this because it seems to me to afford some kind of excuse, if the Transvaal Government have been unable to fulfil their obligations, when we find in the Cape Colony an objection to join us in attempting to keep order. Now, in what way have the Transvaal Government broken the Convention? Clause 19 says that the Transvaal Government undertakes to do its utmost to resist encroachment across the Border. I find it very difficult to say that the Transvaal Government has done its best to resist these encroachments; and, therefore, I admit, as a matter of opinion—which cannot be absolutely demonstrated—that I think the Transvaal Government have broken the spirit of the Convention. But they have gone further, for they have, in some degree, broken also its letter. They have not paid their Debt; but, on the other hand, they have done more than some debtors do—they have paid the interest upon it; so I do not think that one would consider that was a very serious infringement. They have also taken a different title for their State from that which was authorized by the Convention; but that is not an important matter. But what is more important is that they did enter into negotiations, in direct contravention of the Convention, with those two Chiefs for the cession of all their territory. I understand their view of the matter is that, although they concluded the cession, that they did so subject to confirmation by the Suzerain authority. It seems that they had no right to enter into negotiation except through Her Majesty's Representative. When complaint was made of this and other matters, there is no doubt that they replied in a manner which was not at all diplomatic. I say, with reference to all this, it raises a very important question, which was adverted to, in the course of the last debate, by the noble Lord the Member for Woodstock (Lord Randolph Churchill). He pointed out, and I think with great force of reason, that this Convention, like most Conventions, is a bi-lateral and reciprocal agreement; that it involves obligations that we have undertaken, as well as imposed obligations on the Transvaal; and that, while, on the one hand, we have a right, as long as the Convention subsists, to call upon the Transvaal authorities to restrain their subjects from encroachments beyond the Border, on the other hand, if the circumstances prior to the annexation should reproduce themselves, and the Natives should unite and prove to be too strong for the Transvaal authorities, the Transvaal would have some claim upon us to support them. Therefore, it may well be—if the Transvaal authorities show themselves to be unable, or prove to be unwilling, to carry out their part of the Convention—it may well be matter for consideration, as the hon. Baronet the Member for Midhurst has said, whether we should not withdraw from it altogether. [Sir Henry Holland: I did not say so.] The hon. Baronet did not say so; but he said we have only two alternatives, and if we did not take the course he preferred we must take the other. It may well be, I say, that we may consider whether we should not withdraw the privileges which we have conceded, if we find ourselves unable to secure the fulfilment of the obligations we have imposed. The question, therefore, is, what is to be done? My right hon. Friend the Member for Bradford (Mr. W. E. Forster) says—"You must make remonstrances. They must be serious remonstrances, and you must convince the Transvaal of your intention to carry them through;" and he does not hesitate to say that, if remonstrances made in these circumstances are neglected, then you must seek by force to establish your authority and protect your Allies. The hon. Member for the City of London (Mr. R. N. Fowler) spoke in language equally strong. He says we ought to take a decided line, and vindicate the power of England. Until the hon. Baronet the Member for Midhurst spoke, I thought it rather a singular thing that only two Members who were in favour of a policy of war were two hon. Members whose proud boast it is to be descended from men whose distinguishing characteristic was their love of peace. The right hon. Member for Bradford spoke very slightingly of the difficulty. He said he believed it had been altogether exaggerated. I must point out to him that it does not turn upon the extent of the difficulty, or on the cost of fulfilling our obligations. He does not urge us to go to war because the war would be cheap and easy; but he talks of it as an inevitable position from which we cannot with honour escape, and, whether it be costly or not, we are bound equally to undertake it. That it will be costly is a point upon which I can entertain no doubt. At all events, no responsible Government is entitled to go to war on the assumption that the war will be cheap and inexpensive. I will put the matter in another way. I am inclined to admit, upon the evidence at present before us, we have got what is called a *casus belli*. We have got as good a case as we have had for most of the wars we have been engaged in—quite as good as for those wars referred to the other day in a public speech, by which, by the expenditure of countless millions of money, we are said to have secured the blessings of the Protestant Succession. But having got a cause of war, I say that we are bound to go further, and before we go to war we should ask whether the result of the war will be at all adequate to the sacrifices we are called upon to make. These sacrifices may be almost illimitable, and the result would be altogether inadequate. There are no Imperial interests at stake in those miserable quarrels, and I do not believe even the Natives—our sympathies for whom and whose claims upon us are really the only ground upon which war could be advocated—I do not believe they can benefit by our interference. Whoever gains, they always suffer, like the dwarf in his alliance with the giant. I do not hesitate to say, and I think a similar statement will be found in the Papers, on the authority of Sir Hercules Robinson and some other officials, that it would, on the whole, have been very much better if we had told them in the past that we would have nothing whatever to do with them, and let them manage their own affairs, and fight their own battles. They are not, as the Natives in New Zealand, a decaying race, that required protection if they are to be maintained in existence at all, although our protection of the Natives in New Zealand is not a thing which can be appealed to with pride. In the case of these Natives they are continually increasing upon us. They will be the great difficulty of our colonization. They were the great difficulty of the Transvaal State before the annexation. If these Chiefs cannot rely upon us to interfere in their quarrels, if they should unite their forces, I have no doubt that their enormous superiority of numbers would be able to obtain fair, just, and equitable treatment from their oppressors. What I have endeavoured to do is not unduly to minimize our responsibilities, and I have endeavoured not to exaggerate them unduly. I say I admit that we have come under obligation, and I say that we are bound to do all we reasonably can to meet that obligation. We propose to meet it if it be the desire of the Chiefs—if the Chiefs cannot come to satisfactory terms—by offering to them either a money compensation or compensation in land. We offer it to the Chiefs and their personal followers. We do not offer it to the tribes at large. The tribes at large in these two cases number 50,000 people—more than the whole White population of the Transvaal. The reason we do not offer anything to the tribes is because with the tribes we have come under no personal obligation. The pledges are made to the Chiefs, and not to the people. ["Oh!" *and* "The 18th Article."] The 18th is the Article which declares the duties of the Resident. There is no pledge given to the Natives in that Article. The thing is absurd. The Convention was between the Boers and the English Government, and the Natives were no parties to it. Our position is similar to our position the other day with regard to the Khedive of Egypt, when the Governments of England and France gave a pledge that if he would follow our advice we would stand by him and keep him on his Throne; but that could not be interpreted as a pledge to stand by his people, but a personal pledge which bound us to the Khedive. If we had been unable to defend the Khedive he might have had a claim upon us for some alternative compensation; but not so the people of Egypt. In like manner as regards the Bechuanas, our offer is made to the Chiefs, but not to their followers, because we have given no pledge to the people at large. But I go further, and say the Government do not propose to give any compensation to the people, because the Government very much doubt whether the people have any material interest in the matter. To them, whether their superiors are the Transvaal Government or the Chiefs, it means only a change of masters, and very cruel masters some of those Chiefs have often proved themselves to be. There is no evidence that the Natives are being, on the whole, badly treated by the Boers of the Transvaal. Their numbers have largely increased by immigration into the Transvaal since the Boers have held the government of that State; and there is no reason to state, at the present time, at all events, that if the Boers were to take possession of this territory of Montsioa and Mankoroane, that the Natives under their rule would be any worse off than they are present. The head men would lose their privileges and lose their income. To them we have given a personal pledge, and to them, therefore, we admit that we are under some obligation. That is the extent of the obligation that we admit, and that is the way we will endeavour to fulfil it. But one thing we will not do. We will not suffer ourselves to be tempted, either by the taunts and jeers of hon. and right hon. Gentlemen opposite, or by the crusading enthusiasm of my right hon. Friend the Member for Bradford—we will not be tempted by either the one or the other to enter into a war, the responsibilities and the consequences of which may be absolutely incalculable; a war which, as the right hon. Gentleman the Member for East Gloucestershire said, nobody in the country wants, and a war which, under these circumstances, would be altogether without justification.

Mr. SIDNEY HERBERT said, that the general effect produced on his mind by the speech of the President of the Board of Trade was that the Government were going, after all, to continue in the policy which they had followed for the last two years, and do nothing at all. The more he regarded the present question, the more he felt that the embarrassments of the present time were entirely owing to the action of the Government in 1881. They must not forget that the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) was responsible for the Convention, as a Member of the Cabinet at the time; and he (Mr. Herbert), at any rate, thought that under that Convention we were bound to protect those Natives. He could not, however, for the life of him, make out what the opinion of the Government really was in regard to that question. In the latter part of his speech, the President of the Board of Trade apparently tried to get out of any obligations—and, he was bound to say, he had considerable difficulty in doing it—that we might have incurred to these unfortunate people. The Boers on the Border had been attacking the Native Chiefs, had seized their land, had murdered them, and done everything it was possible to think of contrary to the Convention; and yet all that Mr. Hudson had to offer the Chiefs, in answer to their earnest appeal, was the moral support of the British Government, which, under the circumstances, was of about as much value as the credit of a bankrupt. No wonder Montsioa and Mankoroane were driven to despair. It was true that there were two Members of the Volksraad among those marauding parties; and yet, when this fact was brought to the knowledge of the Transvaal Government, they treated our representations, from first to last, with the most studied contempt. On the first occasion, they denied the fact after proof had been given to them; on the second occasion, they said they could not inquire into the matter because they had a grievance against us—a preposterous grievance—which took up all their energies; and the third time they attempted to bring up a case which could bear no possible parallel to the case we had against them. He could not understand why the Government should want to move any Amendment to the Resolution of the hon. and learned Gentleman the Member for Chatham (Mr. Gorst). He could not conceive how he could hamper them. He should rather think a strong Resolution carried by the House of Commons would be a powerful weapon in their hand with which to deal with the Transvaal Government. He could not help thinking that the British Government had been carefully assisting the Transvaal Government to make this claim. The Under Secretary of State for the Colonies had advised the House not to act upon the unregulated impulses of humanity; but what length of time did the Government require for regulating their impulses?—for these outrages were reported to them 12 months ago, and they had done nothing since. He was not sure that the inaction of the Government was not as much the cause of the outrages that had been perpetrated by the Boers upon the Natives as the conduct of the Transvaal Government itself had been. The statement of the Chancellor of the Exchequer the other night that the Transvaal War was a legacy left to the present Government by the late Government was a most monstrous one. The war had been declared by the present Government, and it had been the subject of a remarkable paragraph in a Speech from the Throne. It must be recollected that this was not the first difficulty that had been encountered in respect of our Colonies. As long as we maintained our Colonies in all parts of the world such difficulties were certain to arise. In the past other Governments had had to meet them, and in the future other Governments would have to meet them; and they had been, and would have to be, dealt with in a statesmanlike manner. Her Majesty's Government, however, had failed to meet this difficulty in such a manner; and if they continued in their present course they would leave a most unfortunate legacy to their Successors. In conclusion, he deprecated our leaving to the vengeance of the Boers those whose only crime was that they had been too loyal to England.

MR. GOSCHEN: Sir, I rise on this occasion not in any spirit of controversy, because I regard the issues before the House as so grave, and as so much involved, that we ought to try and discourage controversy with regard to them as much possible, in order that we may face the difficulties connected with them as firmly as possible. That the issues involved do raise difficulties, I am sure will be acknowledged by hon. Members on both sides of the House. The right hon. Gentleman the President of the Board of Trade has considerably advanced this discussion by pointing to two possible courses which might have been adopted with regard to this matter besides that to which Her Majesty's Government is committed in the future. The right hon. Gentleman indicates, in the first place, that Her Majesty's Government reserves the question of the right to use force for the protection of the Natives; and, in the second place, he points to the possibility of the withdrawal of our Resident, and the cancelling of the Convention. I trust that I do not misinterpret his remark when I say that he has suggested those two possible alternatives. Every hon. Member who has taken part in this debate has felt himself called upon to state the issues which he believes are involved by the Motion before the House, and the Amendments to it which have been placed upon the Paper. I would venture to add to the number of those issues, and to say that this Motion involves the whole question of what is to be the action of this country in the future in dealing with the Native Races in South Africa. I think that it is time that this country should make up its mind whether it intends to follow the policy of protecting the Native Races in that part of the world, or whether it intends to follow the opposite policy, which is said to be popular among certain Members of the Liberal Party—that of strict non-intervention. The right hon. Gentleman the President of the Board of Trade has said that no questions of Imperial polity are involved in this miserable tribal dispute. With that remark, however, I cannot entirely concur. The question which we have to face is, what attitude England will take in the future in the great struggle that is going on in this part of the world between the Native Races and the White Colonists. That struggle is an historical one at the Cape, and it is one with which past Governments have always had to deal, and it is one with which future Governments will have to deal. The right hon. Gentleman has spoken of the possibility of the Native Races, if left to themselves and untrammelled by the intervention and the protection of England, becoming numerous, strong, and prosperous, and, therefore, able to hold their own against the Whites. But if this possibility should become a reality, is it not also possible that difficulties may arise between the Natives and the White populations in which we may be called upon to protect the Whites against the Natives in the same way as we are now called upon to protect the Blacks against the Whites? On this subject we ought not to drift on holding up one principle this year and another the next. If we were to adopt that course we should find ourselves landed in all manners of humiliations and difficulties, and sometimes in enormous and most difficult enterprises. Therefore it is that I venture to submit that we have before us more than the mere consideration whether one or two Chiefs should be compensated. The tone of this debate must decide once for all what is to be our attitude in the future on the great question I have referred to. The right hon. Gentleman the President of the Board of Trade, in dealing with the past, spoke of two questions—that relating to the annexation of the Transvaal, and that relating to its abandonment after the defeat of Majuba Hill. With regard to the annexation of the Transvaal, the right hon. Gentleman stated, as I have often seen it stated before, that the Liberal Party consented to it because they were ignorant of the real state of affairs, and because they had been misinformed with reference to the wishes of the Boers on the subject. That was one motive for not resisting the proposal of the Conservatives at the time; but it is a matter of history that the Liberal Party, or a large number of Members of that Party in the House, were animated in consenting to the annexation by another circumstance. They resisted many attempted annexations; but why did the Liberal Party not throw itself more into resistance on this occasion? It was because they believed that the Boers were not doing justice to the Native population. [*Opposition cheers, and* "No!"] I really think it is a position which can scarcely be attacked. There are individual Members who voted on other grounds; but the Liberal Party had always been anxious for the protection of the Native Races, and they saw that on this occasion there was an opportunity of substituting for the rule of the Boers —which, in their opinion, was unjust and cruel, and was driving the Natives from their homes—a better government, which would be more just, and would secure the rights of the Native population; and I maintain that, whether rightly or wrongly, that was one of the reasons why the Liberal Party consented to the annexation of the Transvaal. I wish now to refer for a moment to an unfortunate business. I think Her Majesty's Government are right in their assertion that when defeat had overtaken our arms, the country approved of the magnanimity with which the Government retraced their steps. [" Hear, hear! " *and* " No, no! "] I believe so, and I am only stating my opinion. The majority of the country take that view. [" No! " *and cheers.*] But I shall add to this remark that it is a dangerous thing, and one that cannot often be repeated, for a Power like England to retreat in the face of Native populations. We cannot combine the consciousness of this sincere magnanimity with the maintenance of that predominance in the minds of Native populations, and of countries like that of the Boers, which alone will insure that legitimate influence for the doctrines which we hold, and that pacifying and civilizing and Christianizing influence which we hope to exercise over the Native populations in all parts of the world. We have lost some of our influence; that cannot be denied. And we cannot forget that the British Agent now in Pretoria is the Agent of a Power that was beaten by the Boers. The country must make up its mind with respect to this Convention, about which I shall presently say a word. It is a question of our power—not to annex countries for our own interests, but to maintain that influence which has served, not so much the interests of this country, as those of the civilized world. Now, Sir, I come to the Convention. I am not sure whether, if the proposition were made to this House that that Convention should be cancelled, it would not be passed by a large majority. One thing, I trust, may be the case—either that the Convention may soon be cancelled, or that the attitude and relations between this country and the Boers may be put upon a different footing from that which is contained in the Blue Book which we have had the pain to read. Now, what is the frontispiece, if I may so speak, to this Blue Book? It is a Petition from the Congregational Union of England and Wales—a Petition to this effect—that the Assembly of the Congregational Union recognize with great alarm that the Boers threaten to ruin all that has been done by civilization and charity in that land. The Assembly of the Congregational Union also pray that the Government shall take such steps as shall effectually put a stop to such a state of things, on the ground that it is as inconsistent with the pledged word of England as it is with the welfare and progress of the Bechuana Natives. That is what we publish as the frontispiece of the Blue Book, which is followed up by showing the actual value of the policy of having a Resident to carry out the provisions of the Convention to which allusion is made. Now, Sir, I do not blame the Congregational Union; but I should blame, if it were not presumptuous to do so, the public of this country if in one year they speak in this way, and in a different tone when the moment comes for insisting upon the Convention. Let us throw our minds back. I can assure hon. Members on this side of the House that I do not desire to say anything disagreeable to the Government or to hon. Members on this side of the House; but I speak as I do in order that in the future they may not incur these great difficulties by at one time insisting that there shall be a Convention for the protection of the Native population, and that the country shall do its duty by taking such measures as shall protect the Native population, and then, two years afterwards, speaking of the impossibility of carrying it out. It must be admitted that the country, which was warm for protection of the Natives two years ago, and would have blamed the Government unless they had made the Convention, would now be perfectly content if that Convention was withdrawn, and our Resident at Pretoria removed. If these are the fluctuations of opinion, it appears to me that we may be landed in the future in serious difficulty. I do entreat this House, and I entreat all who blush to read of the ineffectual attempt of the Representative of the Crown to get justice, not from a foreign nation, but from a country of which the Queen is Suzerain, to bear these facts in mind. Then, I say, let us take care that we may not be led up to a situation of this kind by provisions that have afterwards been thrown aside. Let the country not indulge in national humbug. Let us either be non-interventionists or follow the traditions of the past. Now, Sir, the question is, what is to be done? My right hon. Friend the President of the Board of Trade has spoken of the manner in which it is proposed to deal with the Chiefs. That is a question for the moment. We may get over the difficulty as regards these Chiefs. But I confess I should find it difficult to reconcile with the whole attitude previously taken by this country action now confined to the protection which is to be given to the Chiefs. I understand that the Government will support the Motion of my hon. Friend the Member for Oxfordshire (Mr. Cartwright), with the addition of words to the effect that, in the absence of effectual restraint upon crime and outrage in Bechuanaland, the House trusts that the Government will make provision for the interests of the Chiefs who had just claims on them. Now, Sir, looking to the fact that the Convention established our right, and many persons think also our duty, to intervene in the affairs of the Native population—that it was the very object of the Convention to give us such rights, it is not wise to adopt the Preamble which the Prime Minister has prefixed. I am quite prepared to admit that we should confine ourselves to absolutely unavoidable obligation. But I am not prepared, in a Preamble, to say that we are driven to this position on account of the difficulties of intervention. The difficulties are great. But, as has been pointed out, these difficulties exist, not from anything that has arisen since the Convention, but are inherent to the situation of having to intervene in Native affairs at all. The President of the Board of Trade must excuse me if I say that I cannot agree with his language "miserable tribal disputes." The question is not so much whether we entered into a contract towards the Native population as whether we did not contract a duty towards this country to intervene in Native affairs if they required our intervention. I think it is too late for my hon. Friend the Member for Huddersfield (Mr. E. A. Leatham) now to minimize our obligations two years after the Convention has been in existsnce. That ought to have been done when the Convention was framed. But, Sir, with regard to these unavoidable obligations, how far can they be carried out? My right hon. Friend the President of the Board of Trade wisely, I think, would not exclude the possibility of a resort to force, and he also said that the alternative will have to be considered as to withdrawal from the Convention. But he added that the Convention was bi-lateral, and if the Boers did not execute their part of the Convention it was no part of the duty of Her Majesty's Government to maintain the privileges conferred on the Boers by that Convention. But I know of no privileges conferred by that Convention upon the Boers beyond the high privilege of retaining the Queen as their Suzerain; and I scarcely think there is a single Boer who will not be willing to forfeit that privilege on the first opportunity. I only beg and entreat the Government that they will soon make up their minds whether or not it will be right to withdraw our Resident from Pretoria and to abandon the Suzerainty. I do not consider that we need compromise our attitude towards the Native population by such a course. It appears to me that experience has shown that the action of the Government is more hampered by the peculiar provisions of the Convention than facilitated by them; and that without them we should be in a better position, both with regard to the Boers and the Native population, and that the Natives would be able more effectually to face the Boers than they are at present. We undertook the liability that the Natives should not be supplied with ammunition, and yet we talk of their uniting to resist the Boers. Again, our Resident has interfered to prevent the Native Tribes from coming to agreements with the Transvaal Government. In this he was doing his duty under the terms of the Convention. It was his duty to see that no Treaties were made between the tribes and Boers, and he stopped a Treaty that was being negotiated; but it is clear that his action, if we now abandon the tribes, has aggravated the position of those tribes, instead of meeting the very object which it was the mission of the Resident to fulfil—namely, to protect the Black population against the aggressive tendencies of the Dutch and other White Colonists. I am bound to say I think that unless there is a great clearance in the air, and unless the relations between Her Majesty's Representative at Pretoria and the Transvaal change very much indeed during the next two or three months, Her Majesty's Government will find some difficulty in passing the salary of that official when it comes forward in our Civil Service Estimates. I cannot conceal that it is this which appears to me to be an infinitely more important question than the particular treatment of the two Chiefs. The relations of the Representative of the English Government and the Transvaal are not satisfactory; but are they tolerable, and can they be endured? Can we allow the Native populations to see the impotence of the Representative of the Queen? Can such a state of things continue? I do not think it is necessary to drive either Her Majesty's Government or any of those who speak in this debate to face the alternative either of war or drawing back. We may draw back; but if we should draw back from Pretoria I trust Her Majesty's Government will be clear, and that the Liberal and the Conservative Parties will also be clear on this point—that we do not abandon the doctrine which has been held for so many years by this country, that where the English flag has once been raised we cannot shake off a certain responsibility towards the Native populations around us. If we do withdraw, I presume that we shall withdraw to Natal; and notwithstanding a debate of this kind, and notwithstanding the view put forward by influential men and by the sincere Representatives of some popular constituencies that it would be better to withdraw altogether—that doctrine will not, I believe, be ultimately held by the English people. I believe that when the moment of peril comes this country will assert the old doctrine. If the people of this country prefer that the Native populations should — I will not say stew in their own juice—but stew in the juice which their neighbours may prepare for them —if the people of this country will endure that, I trust they may persuade the public once for all to decide on that policy; but that on no account we may drift between these two currents of opinion, for if we thus drift, we are sure to be planted in the midst of difficulties, humiliation, and disaster.

Mr. STUART-WORTLEY said, he could have wished that the debate was not to so great an extent foredoomed to be unprofitable in its results. No doubt the subject they were discussing was one of importance to civilization. But it was little that they could do by talking of their helpless humiliation and their impotence in the presence of wrongs which Ministers themselves described as a disgrace to humanity. But whose fault was it that the position was humiliating? At least, they could place that on record. He understood that the latest development of the defence of the Government was that the obligations we incurred under the Convention were not towards the Black population, but towards the Chiefs in their personal capacity. That argument could avail the Government only if it were a dynastic guarantee that we had given; but our obligation was nothing of the kind. If, moreover, we were entitled to repudiate our obligations on that ground, Foreign Powers might repudiate every Treaty obligation on the plea that the Treaty had been entered into by the Head of the State. If the Natives remained in the territories of the Chiefs to whom we had given a guarantee, there could be little doubt that they would disappear by a process which was euphemistically called absorption. As to the analogy with the Turkish Convention, we had a hold over the Sultan that we had not over the Transvaal; for the Sultan knew that when the day of reckoning came, if he had not carried out reforms, we were not bound to defend him against Russia. There was little probability that we should ever be called on to defend the Transvaal against the Natives. What had been said about our incurring these illimitable responsibilities was fallacious, because north of these territories was a pestilential one, on which no permanent settlement could be made by man or beast. If the bad character of the Chiefs was a reason for not keeping our obligations, it was also a reason for not entering into them. The President of the Board of Trade asked the Opposition to blame the Government for not going to war two years ago. But that was the very thing they did. They claimed credit for the retrocession on the ground that they believed the annexation was against the will of the inhabitants; but when did they arrive at that conclusion? Was it before they went to war; or did the conviction become mature during the campaign? Very craftily the Under Secretary of State for the Colonies kept before their minds the fact that if they wished to do anything at all the only things they could do were either to go to war with the Boers, or else to make a virtual annexation of

Bechuanaland. The Under Secretary of State knew he was sure of a cheer if he turned round to below the Gangway and asked—"Do you want to go to war, or do you want virtual annexation of this new territory?" His Friends below the Gangway on that side cared not what happened to these unhappy negroes, while they sat at ease, cheering the old platitudes about peace and non-intervention. But whose fault was it that they had before them none but these singularly odious alternatives? It was the fault of those who, by surrendering the Transvaal to the Boers, had made possible again these insolent and criminal practices of which the Boers, by common consent, had been convicted. The Under Secretary of State for the Colonies knew equally well that he was sure of a cheer from the same quarter when he said—"We annexed the Transvaal, and the country wisely undid that." But if there was one thing that was made absolutely clear by the present deplorable state of affairs, it was that they would not be in their present galling position if it had not been for this surrender, which reversed the annexation. He was not concerned to defend the annexation. Mr. Grant Duff, whose knowledge of the subjects he took up was at least as great as that of his Successors at the Colonial Office, spoke in the House of the annexation as a thing which would become some day inevitable; and, although he disapproved of the manner and the time of carrying it out, he was content to accept it, so far as a man did who said of any act—*Fieri non debuit factum valet*. Only the week before the commencement of this debate, the period of British rule in the Transvaal had been described from the Treasury Bench as the only interlude that that country had enjoyed for 25 or 30 years of lawlessness and strife. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) wrote to the papers in January, 1880, a letter which showed but little disposition to complain of the annexation, for he urged that if we were to consider what was to become of the country we had annexed, we ought to remember that there were 10 negroes in the Transvaal to one White man, and reminded his readers' that the Boers' ideas of Native policy were not much in accordance with the usual ideas of justice and humanity. Whether the annexation was wrong or right, he (Mr. Stuart-Wortley) repeated that it was not the annexation which had led to these troubles, but that they had been brought about by the surrender, which reversed the annexation. The surrender was forced on the Government by successful rebels. He ventured to doubt whether any rebellion would have followed the annexation if it had not been for the Prime Minister's ill-considered declaration in Mid Lothian that he would repudiate our acquisitions in the Transvaal. The Prime Minister had put on those words a peculiar construction of his own. Taxed with them in his (Mr. Stuart-Wortley's) presence in that House, the right hon. Gentleman laboured to show that repudiation of an act meant no more than a wish that it had not been done. So it might, with the Prime Minister. The Prime Minister found it convenient to forget that to repudiate a Treaty or an obligation did not mean to confine yourself to a wish that the Treaty had not been made. Nothing could be clearer than that the chief element in the meaning of the words of the Prime Minister was the undoing of something which had been done. They were not, however, concerned with the Prime Minister's own interpretation of his own words; but what they had to look at was the effect which they would probably have when translated into Dutch by persons who read English in its ordinary and accepted sense. Who could then wonder that the Boers looked forward to an undoing of the annexation, and that, finding a Liberal Government slow in undoing it, thought they would precipitate events? It was, he repeated, the surrender of the Transvaal itself, led up to by the Prime Minister's rash speech, that had brought on the present troubles. He thought that the House had been much edified by the cynicism which had told them that "Statesmen cannot afford to yield in every case to the natural impulses of humanity," and that those who had responsibility were not bound to follow every unregulated impulse. He supposed it was because the Prime Minister had no responsibility that his love for the Bulgarians was an "impulse of humanity;" and, of course, now that he was Prime Minister, he would, if he were to show any practical sympathy for the victims of the Boers, be yielding to a mere "unregulated impulse." After all, Her Majesty's Ministers were human, and it was not difficult to conjecture why they allowed themselves to enter into this dishonourable and cynical Convention. Hon. Members were told that the Liberal Party were bound to take the broader view of this subject than those who were on the spot. The Liberal Leaders had to consider their unfortunate utterances whilst in Opposition; and could hon. Members, therefore, wonder if they said to themselves—"We will make a Convention that shall talk about the rights of the Natives, that will please the Anti-Slavery Society and the Aborigines' Protection Society. Our Convention shall exact all sorts of terms, of which the peaceful enforcement shall be impossible, and the Peace Society will then applaud our refusal to enforce them. The Boer's facility for Biblical quotations, and his amiable habit of accompanying his atrocities by the singing of Psalms, will commend and endear all our concessions to that piety which is the backbone of Liberalism, and the consciences of Liberal Jingoes shall be quieted by the reservation of a Suzerainty to the Queen." This same Suzerainty was not the least unfortunate part of the arrangement. It made them morally responsible for all that the Boers might choose to do. The Government had practically abandoned territory and power, as well as humanity and principle. Why should Suzerainty be retained? Could it be intended to retain it in order that the fair name of England should be sullied by association with robbery and aggression? Nor was that all. Actually it was proposed that the taxpayer of this country should pay his money to transplant and indemnify those Chiefs who helped us in our war, and whom we could not defend against our own conquerors. We were told that their territories would remain under "the existing authority." He suspected that the existing authority when they were gone would be the Vulture and the Jackal. It was not difficult to guess what was the enlightened and civilizing power into whose hands would fall the tenancy that we should have bought out. The Amendment of the right hon. Baronet (Sir Michael Hicks-Beach) implied a direct censure on the Government. He considered that they richly deserved censure. They had bound us to concessions which were not only disgraceful on account of the defeat which they signalized, but also on account of the bloodshed which they came too late to avert; with their eyes open they had bound us to stand by as idle spectators of injustice and inhumanity, of practices which impeded and defeated the extension and progress of civilization. In conclusion, he hoped that House would, by an emphatic vote, record its strong sense of the policy which had brought them into their present unfortunate situation, and in which they found themselves bound by obligations, which he would not say they were too supine or too cowardly, but which they were not able to perform.

MR. W. FOWLER begged to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. W. Fowler.*)

SIR STAFFORD NORTHCOTE asked to what day the debate would be adjourned? He hoped that it might be concluded at a regular Evening Sitting. It was extremely inconvenient that it should be carried on at a Morning Sitting, and he thought they had arrived at that period when they might be sure that with a proper Evening Sitting they would be able to conclude the debate in one day. If the Prime Minister could not now name a day, perhaps he could do so on Monday.

MR. GLADSTONE said, he agreed, to a certain extent, with the right hon. Gentleman that nothing could be more inconvenient than the present condition of things, because they had not only not made progress at this Sitting, but had distinctly gone backwards. At the close of the last fraction of the debate it was understood, perhaps erroneously, from the speech of the noble Lord the Member for Woodstock (Lord Randolph Churchill), that a recommendation would be made for the withdrawal of the original Motion, and that would have advanced things very materially; but permission had not been given to the hon. Member for Oxfordshire (Mr. Cartwright) to withdraw his Amendment, and therefore the original Motion could not be withdrawn. The Government Amendment was put down, not at all in the view of its being taken on the back of a series of other Amendments, but in the belief that the original Motion and the present Amendment in its substance were to be withdrawn. He really would suggest that there might be some communication between Parties in order to simplify the position. In the present state of things he could give no assurance as to the close of the debate. The Government would be content to take a division either on the original Motion, or on the Motion of the right hon. Gentleman opposite (Sir Michael Hicks-Beach). The Government Amendment was put down with a view to satisfying a feeling that was widely extended in the House; but it was not necessary to persevere with it, provided that they could get at the issue in a more satisfactory way. The state of Public Business did not at that moment allow of his naming an evening for the debate; but he would endeavour to arrange for its resumption and close within a reasonable time. He would suggest that it should be postponed till Monday, and that an arrangement should be come to in the meanwhile.

Debate *further adjourned* till *Monday* next.

The House suspended its Sitting at Seven of the clock.

---

The House resumed its Sitting at Nine of the clock.

## *MOTIONS.*

### LOCAL GOVERNMENT PROVISIONAL ORDERS BILL.

On Motion of Mr. Hibbert, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Local Government District of Abertillery, the Rural Sanitary Districts of the Horsham and Penzance Unions, the Boroughs of Portsmouth and Scarborough, the Local Government Districts of Shirley-and-Freemantle, and Staines, the City of Truro, and the Local Government Districts of Walton-on-the-Hill and Wimbledon, *ordered* to be brought in by Mr. Hibbert and Sir Charles Dilke.

Bill *presented*, and read the first time. [Bill 142.]

### LOCAL GOVERNMENT PROVISIONAL ORDER (NO. 2) BILL.

On Motion of Mr. Hibbert, Bill to confirm a Provisional Order of the Local Government Board relating to the Improvement Act District of West Hartlepool, *ordered* to be brought in by Mr. Hibbert and Sir Charles Dilke.

Bill *presented*, and read the first time. [Bill 143.]

*Mr. Gladstone*

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

## *ORDER OF THE DAY.*

### SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

### THE MARRIAGE LAWS.—RESOLUTION.

Mr. MONK, in rising to call attention to the state of the Marriage Laws in the United Kingdom; and to move—

> "That, in the opinion of this House, it is the duty of Her Majesty's Government to introduce a Bill for the purpose of establishing a Marriage Law as nearly as possible uniform for all parts of the United Kingdom, upon principles of equality between all Churches and religious denominations,"

said, his first object was to call attention to the very anomalous state of the Marriage Laws of the United Kingdom, which was certainly not creditable, and might be described as a scandal to a civilized country like our own. His second object was to make an appeal to the Government to fulfil the pledge which had been given by their Predecessors in 1869 to bring in a uniform Marriage Law for the three countries.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Nine o'clock till Monday next.

## HOUSE OF LORDS,

*Monday*, 16*th April*, 1883.

---

MINUTES.]—Public Bills—*Second Reading* —Bills of Sale (Ireland) Act (1879) Amendment* (29); Elementary Education Provisional Orders Confirmation (Cummersdale, &c.)* (23).

*Third Reading* — Army Annual (25), and *passed.*

## LORDS ALCESTER AND WOLSELEY—MESSAGES FROM THE QUEEN.

### MOTION FOR AN ADDRESS.

Earl GRANVILLE: My Lords, I rise to move that the Messages from Her Majesty recommending pensions to Lord Alcester and Lord Wolseley for their eminent services be now taken into consideration. Your Lordships will remember that six months ago I had the honour—and I considered it a great honour—to propose to your Lordships Votes of Thanks to Admiral Sir Beauchamp Seymour, and General Sir Garnet Wolseley, and to the gallant sailors and soldiers who were under their orders during the operations in Egypt. I made a statement then of the grounds on which I thought those thanks ought to be given. Your Lordships received that statement in the most cordial manner. That statement was followed by the noble Marquess opposite, who expressed himself in very strong terms of approval, which showed that common ground existed between us in thinking that those distinguished officers were fully entitled to your Lordships' thanks. If I remember aright with regard to Sir Beauchamp Seymour, the noble Marquess stated that I had said nothing in the way of praise which was not due to him for the operations which he had conducted in such a manner as to increase the reputation of England and to assist our Diplomatic Agents. With regard to Sir Garnet Wolseley, the noble Marquess pointed out that he was remarkably active in his marches through the country, and that while he had a complete mastery of details, it, at the same time, in no way interfered with or narrowed the general scope of his views. A unanimous feeling was shown by the Vote which your Lordships gave on that occasion. I have already stated, as your Lordships are aware, that the Queen, acting in concurrence with the feelings that were shown by your Lordships' House and the other House of Parliament on that occasion, has conferred various rewards and honours on the Naval and Military officers under their command. Among others, the Queen has conferred the honour of two Peerages upon Lord Alcester and Lord Wolseley, who have already been welcomed to your Lordships' House. I read to-day, with very great interest, the speech made by a noble and gallant Field Marshal, who himself owes his seat in this House to distinguished military services, and who, referring to the famous wish of Lord Nelson, said that in this, as in former times, men looked forward to a seat in the House of Lords as the highest honour to which they could attain. But the obligation is not entirely on one side. There have been discussions as to whether the existence of the House of Lords in the past, in the present, or in the future, was for good or for evil. But on one thing there is perfect unanimity, and that is, that the House does increase its efficiency and its popularity in the country by the accession of men who have rendered great services to their country. My Lords, I beg to move, in the first place—

"That an humble Address be presented to Her Majesty, to thank Her Majesty for the gracious Message, and to inform Her Majesty that, taking into consideration the important services rendered by Frederick Beauchamp Paget Lord Alcester, Admiral in Her Majesty's Navy, in the course of the recent expedition to Egypt, and that Her Majesty is desirous to confer some signal mark of Her favour for those distinguished services, this House will cheerfully concur in enabling Her Majesty to make provision for securing to the said Frederick Beauchamp Paget Lord Alcester, and to the next surviving heir male of his body, a pension of Two Thousand pounds per annum."

The Marquess of SALISBURY: My Lords, I rise with very great pleasure to second the proposal of the noble Earl, and the more pleasure I feel in supporting it, the more do I feel that many words are not necessary to commend it to the acceptance of your Lordships. It is pleasant to come across a subject on which all are heartily agreed, as we now are, in the duty of paying due honour, and in giving due support to that honour when paid in the case of distinguished servants of the Crown; and I think the noble Earl was very happy when he called attention, not only to the hearty sympathy with which this House especially receives those who have distinguished themselves on the ocean or in the field, but also to the great accession to the influence, power, and dignity of this House, which is conferred by their presence among us when the Sovereign adds them to our Roll. My Lords, the proposal which the noble Earl has made is justified by many precedents. It is in accordance with general usage upon these occasions. There never was a provision better deserved by those who have earned it at the hands of the Government and Parliament, and there never was one which will be more heartily supported by the country.

Motion *agreed to.*

*Moved,* "That an humble Address be presented to Her Majesty, to thank Her Majesty for the gracious Message, and to inform Her Majesty that, taking into consideration the important services rendered by Garnet Joseph Lord Wolseley of Cairo, General in Her Majesty's Army, in the course of the recent expedition to Egypt, and that Her Majesty is desirous to confer some signal mark of Her favour for those distinguished services, this House will cheerfully concur in enabling Her Majesty to make provision for securing to the said Garnet Joseph Lord Wolseley of Cairo, and to the next surviving heir male of his body, a pension of Two Thousand pounds per annum."—(*The Earl Granville.*)

Motion *agreed to.*

## NAVY—NAVAL LIEUTENNATS.

### RESOLUTION.

THE EARL OF BELMORE, in rising to move—

> "That in the opinion of this House the rates of full pay of naval lieutenants and sub-lieutenants should be assimilated to that of officers holding relative rank in the Army; the half pay of naval lieutenants and sub-lieutenants should be in all cases the actual half of the full pay, except when length of service entitles them to a higher scale."

said, he must apologize for bringing forward the subject for the second time in the same Session. The answers which the noble Earl the First Lord of the Admiralty gave him on the last occasion were not encouraging; but he could not say that he was disappointed, for he bore in mind the proverb, which was said to be an Arabian one—"Blessed is he that expects nothing, for then he will not be disappointed." He did not doubt the noble Earl's sympathy with the officers of the Royal Navy; but he knew that, as the matter would involve a considerable amount of money, the noble Earl would have, therefore, to consult another Department before action could be taken; and he knew, by long experience, that the Treasury did not indulge in sympathy. The noble Earl, on the last occasion, seemed to admit that the position of the lieutenants was not altogether satisfactory; but he said that there was no difficulty in obtaining a supply of boys to enter the Navy. He (the Earl of Belmore) did not doubt the patriotism of rich fathers; but he did not think it desirable that the supply of Naval officers should be obtained entirely from amongst the sons of rich men, who had not the same incentives to work as those who had to earn their living by their own exertions. Poor fathers were at present induced to send their sons into the Navy by the fact that they could obtain a good education for them at a low rate, and boys of an adventurous disposition were glad to leave school; but in after life they often bitterly repented having entered the Service. Besides, everyone hoped, on entering the Service, that he would eventually reach the top of the tree; but it was arithmetically impossible for a large proportion of the lieutenants ever to become commanders. All he (the Earl of Belmore) asked on the present occasion was, that in justice the pay of lieutenants and sub-lieutenants of the Navy should be increased; and he would ask the First Lord of the Admiralty to take the matter into serious consideration, with the view of doing something for those officers who still laboured under much disadvantage, not only with regard to pay, but also with respect to slowness of promotion, many of them having their career cut short in the prime of life by retirement. He did not even suggest that anything should be done to interfere with the Estimates of the present year. Other officers in the Navy had had advances in their pay; and he found that in the Estimates for 1882-3 £6,560 was allowed for an increase of pay to medical officers, and £3,560 for increase of pay to engineers. A lieutenant found himself in the ward room among those officers, and, although receiving a good deal less pay than them, having considerably more expense. The responsibilities of lieutenants had very much increased since 1840, owing to the increased size of ships. Then a large ship cost £100,000 or £200,000; now it might be worth £1,000,000. In comparing the position of officers in the Navy with the position of Civil servants in the great Departments, there could be no doubt the Naval officer was the worst off, on the whole, taking the pay and retiring allowances together. He did not make any comparison between our Navy and the Navies of foreign countries, because, although lieutenants in the French Navy got higher, and in the American Navy much higher pay, they received no retired pay; and, therefore, a fair comparison was not possible. The noble Earl, on the last occasion on which the subject was before the House, had said that they had provided some six or eight posts in the Coastguard for Naval officers on half-pay. That was all very well as far as it went; but he (the Earl of Belmore) thought that, if he were a Naval officer, that would hardly be any compensation to him for his career being cut short. He had in his hand an extract from a Report of a Committee appointed some time ago to inquire into the expenditure incurred through the large and growing charges for Non-Effective Services. It did not include commissioned officers; but the application might suit the case of the lieutenants well enough—

> "And we would further point out that when increased inducements are proved to be required in order to secure the description of the service wanted, it is frequently better that these should be given in the shape of increased pay than in that of increased pensions; for it will often be found that at present increase to an individual or a class is much more attractive and much more appreciated than such deferred advantage in the shape of increased pension as could be given at anything like an equal cost to the public."

With regard to the matter, as to what he proposed, he found that the number of sub-lieutenants on full pay, under three years' service, was 137, and that would cost £625 1*s*. 3*d*., and sub-lieutenants of over three years' standing was 53, which would cost £1,450 17*s*. 6*d*. The number of lieutenants on full pay under eight years' standing was 425, and would cost £12,280 14*s*. 7*d*.; between eight and 11 years' standing, 181, or £11,836 2*s*. 11*d*.; and over 11 years' standing, 90, or £9,855, making a total of £36,048 6*s*. 3*d*. He was aware that the plan he proposed involved some increase of expenditure; but if, as an alternative, the increase was limited to lieutenants of eight years' standing and upwards, who ranked as majors, the total cost of the scheme would not exceed £20,000 per annum. He had been careful to avoid in any way attacking the noble Earl or his administration of the Navy. He was quite aware that the matter was an old one, and that he had the sympathy, at least, of the noble Earl on behalf of the officers of the Royal Navy. It was undoubtedly an unfortunate circumstance that a large number of those officers must have their career cut short prematurely; and he, therefore, trusted that the small sum he had mentioned would be awarded them—a sum which would greatly increase their contentment as a class. The noble Earl concluded by moving the Resolution standing in his name—

*Moved* to resolve, "That in the opinion of this House the rates of full pay of naval lieutenants and sub-lieutenants should be assimilated to that of officers holding relative rank in the Army; the half-pay of naval lieutenants and sub-lieutenants should be in all cases the actual half of the full pay, except when length of service entitles them to a higher scale."—(*The Earl of Belmore.*)

The Earl of NORTHBROOK: My Lords, I am sure that no one could have stated the case on behalf of the Naval lieutenants and sub-lieutenants more clearly and fairly than the noble Earl. The noble Earl's Motion is based upon the assimilation of the pay of Naval and Military officers, and I feel a great difficulty in dealing with it, because the difficulty of making any comparison of the advantages of the two Services is so great as to be almost insuperable. In the Navy there is the great advantage that fathers who send their sons into that branch of the Service are put to much less expense in their education. The Naval officer joins the Service at the age of 13, when he goes on board the *Britannia*, and his cost up to the time of his joining the Service as midshipman does not exceed £70 a-year. From that period till the time he arrives at the age of 20 or 21, when he becomes a sub-lieutenant, an allowance of £50 a-year, in addition to his pay, would be sufficient for his maintenance, exclusive of outfit. In the Army, the education of the son is entirely thrown on the hands of the parents. It would not be any exaggeration to say that, comparing the two, the expense of the education of a young man destined for the Army is three times that of one who enters the Navy. That is one of the advantages the Navy has. Another advantage is that the pay of officers of the higher ranks is greater; and a third may be found in the fact that officers selected for promotion obtain that rank at an earlier age than is usual in the

Army. For example, an officer in the Army would hardly obtain the rank of captain before the age of 30, while the corresponding rank (of lieutenant) in the Navy is obtained at the age of 23 or 24. So, again, the next rank in the Navy — that of commander — has been gained during the last three years at an average age of 35; and the average age at which officers have during the same period obtained the rank of captain in the Navy is 39. The rank in the Army which corresponds with a commander and captain in the Navy is that of lieutenant colonel; and if an officer of the Army becomes a lieutenant colonel by the time he is 45 he is a fortunate man. On the other hand, promotion in the Army is more certain, and goes more by seniority, and there is the still greater advantage that in the lower ranks the officers need not remain on half-pay against their will, as is the case in the Navy; so that, as I have said, there are advantages and disadvantages on both sides; and, in my opinion, it would be very difficult to institute a comparison, such as the noble Earl has attempted, with any satisfactory result. There are, it appears to me, peculiar advantages in both Services; certainly there are, I am happy to say, sufficient in both to enable us to obtain plenty of candidates for admission both into the Army and into the Navy. I, therefore, beg to make this general protest and reservation against any such comparisons as the noble Earl has made; but, as he has made them, it is incumbent upon me to say something on the subject. First, then, as to sub-lieutenants. The age of a sub-lieutenant would usually be from 19 or 20 to 23 years of age, and his pay £91; that of a lieutenant in the Army under three years' standing is £96. But it is notorious that the mess expenses of officers in the Navy are less than in the Army, 30*s.* a-month in the former case covering the mess expenses except wine; and in all ranks of the Navy officers receive free rations of the value of about £18 a-year. I cannot admit that a sub-lieutenant is not very fairly remunerated, or that there is any case for an increase in the pay of that rank. Coming to the more important rank, that of lieutenant, there is this peculiarity about it—that it includes officers of a very different amount of Service, extending from the young lieutenant of 23 or 24 to old officers of 40 years and more; and there is, doubtless, some anomaly in there being one rate of pay for all. But this rate of pay, which is £182 16*s.* a-year, does not represent the actual pay received by officers when serving. From time to time allowances have been given to lieutenants in command of ships, which make their pay from £269 to £247; to first lieutenants, from £228 to £209; to gunnery, torpedo, and navigating lieutenants, from £246 to £209; and if, also, senior executive officers, from £292 to £227. I inquired the other day into the average pay of lieutenants now serving, and found it to be £208 a-year. When we compare these figures with the pay of the Army, we must not forget that a Naval officer reaches the relative rank of captain six years earlier than an Army officer does. On the whole, I have no belief that the junior lieutenants have any right to complain of their pay and allowances when compared with those of Army officers of the same age. The case of the senior lieutenants is different, and we should be glad to do something to improve their position; but, in my opinion, the question of promotion is a more important one to them than that of pay. The First Lord of the Admiralty is always placed in difficulty when he has to select lieutenants for promotion, although every pains are taken to make the promotions as fair as possible. There are several things to be considered by him in making promotions which those concerned are unable fully to appreciate. It is necessary to consider all the different branches of the Service, the claims from stations in different parts of the world, and those of officers who have attained professional qualifications in gunnery and torpedo management. Moreover, the interests of the Service require that a certain number of young officers shall be promoted. The old practice which allowed Admirals abroad to promote young officers as flag lieutenants having been abolished, it is more than ever necessary that the Admiralty should select a certain number of young officers for promotion. For these reasons, there is no doubt that the position of senior lieutenants cannot altogether be regarded as satisfactory. But how it is to be remedied is another question. Something has been done during the las few years. The annual number of lieutenants promoted to the rank of commander has been increased from 20 to 25. We have also given to the senior lieutenants six appointments in the Coastguard, which affords more employment to those officers. I can assure your Lordships that the Admiralty are by no means insensible to the position of the senior lieutenants, and that they sympathize with them deeply, and will be glad to do anything which is reasonable in the way of bettering their position in the Service. As to the question of half-pay, I do not think the young Naval officers have any hardship to complain of. A junior lieutenant receives as half-pay not much less than an officer of the Army of about the same age receives as full pay, and the number of senior lieutenants on half-pay is very limited. The real hardship in respect to half-pay is felt when a lieutenant just promoted to commander is put on half-pay for three or four years, and when a captain just promoted has to wait even longer before he gets a ship. This is also disadvantageous to the Service, and the Admiralty propose to allow a limited number—say, five—in each year, of captains and commanders, to receive full pay while studying at the Royal Naval College at Greenwich. I think that it will be found that this arrangement will better meet the real hardships of the Service in regard to half-pay than the suggestions of the noble Earl. I hope that after the explanation I have given the noble Earl will not press his Motion.

THE MARQUESS OF SALISBURY: My Lords, in spite of the numerous details with which the noble Earl has just favoured us, I think there will still be left on the minds of your Lordships an impression that there is in respect of this service—as I fear there is in respect of other services—an increase of that terrible evil which it is hard to see how to remove—namely, that a certain number of officers are thrust aside too soon from the service of their country, and forbidden to follow to the end the Profession to which they are brought up. In order to furnish young men for the higher branches of their Profession, it is necessary that they should be put in a position practically to follow it early in life. It is a serious thing as affecting the Military Service, and most of all as affecting the Naval Service, to see many men in the prime of their powers, and when their abilities have just become perfect through practice in the service of the country, compelled to lead an idle and a discontented life. The noble Earl says the sub-lieutenants and lieutenants are more eager for promotion than for increased pay. That is very probable; but he will see on reflection that the question of pay is not entirely irrelevant to the position of these officers. It is, no doubt, painful to be left at the bottom of the ladder, when you want to be at the top; but your position at the bottom of the ladder is all the harder when you are without the means of support which your station requires. I am afraid that the noble Earl's statement does not amount to much more than those assurances of official sympathy which, of course, it is the Minister's duty to give, but which will be of little use in the future. Nevertheless, I do not advise my noble Friend to press his Motion on this subject. In addition to the consideration that it involves a financial matter, which does not rest specially with this House, there is the further consideration that it is not in our power, or in the power of the other House of Parliament, to force the Government to give attention to this question. But, if it sanctions the Motion, it is in the power of both Houses of Parliament to make a discontented class. Therefore, I think the Government have some reason to complain—at least, their position is one of considerable difficulty—if they do not see their way to amend the position of any particular class in Her Majesty's Service, and yet one of the Houses of Parliament, by sanctioning a statement of grievances, should give to that class a ground for feeling and thinking that it is ill-used. For these reasons I think my noble Friend will consult the interests of the Public Service by not pressing his Motion.

THE EARL OF BELMORE said, that, after the appeal just made to him, he certainly would not trouble their Lordships by pressing his Motion to a division; but he did not regret having brought the matter before their Lordships, as he knew that the only way of getting a grievance redressed by the Government or by Parliament was by constantly keeping the subject before them. The noble Earl said that the average at which officers in the Army became captains was 30. This rather surprised him. He had, unfortunately, not got the calculation with him; but as he found officers became majors at 32, he thought 30 too high an average age for becoming captains.

Motion (by leave of the House) *withdrawn.*

## NAVY—APPOINTMENT OF FIRST LIEUTENANTS.

### QUESTION. OBSERVATIONS.

THE EARL OF SANDWICH, in rising to ask the First Lord of the Admiralty as to the appointment of first-lieutenants to Her Majesty's ship "Garnet," said, he thought it was very essential that officers in command of Her Majesty's ships should have the power of selecting their first lieutenants, and when that practice was departed from, confusion and disorder would arise. Last year a near relative of his (Captain Montagu) told an officer whom he found doing his duty most ably in all respects that if an opportunity occurred he would be most happy to recommend him as first lieutenant of the ship to which he was commissioned. Captain Montagu accordingly wrote to the Lords of the Admiralty, recommending the appointment of Lieutenant Pelham as first lieutenant of the *Garnet*, and the answer he received was that when the time came the matter would be considered. At the end of a month Captain Montagu wrote again. He got no answer to his letter; but shortly afterwards he received a telegram from the Lords of the Admiralty saying that Lieutenant Pelham could not be appointed, and requiring him to appoint somebody else. The consequence was that, having received a letter from another officer recommending a friend, he telegraphed back to the Lords of the Admiralty that he knew nothing of the gentleman, and asking them to appoint whom they liked. That gentleman was appointed, and joined the ship at Sheerness; but, for some reason or other, he was superseded. When the ship got to Plymouth Lieutenant Hay was appointed, who, being an officer of great energy and efficiency, and liked by the men, everything went smoothly. He took the ship out to Jamaica, and when he got there he was superseded by another officer. He hoped that the noble Earl the First Lord of the Admiralty would give an assurance that when an officer was commissioned to a ship he would be permitted to select his first lieutenant, and also be allowed proper time to appoint a successor to that officer. Unless courtesy existed between the officers of the Admiralty and the officers of the Navy great injury would be caused to the Service, and great difficulties would be placed in the way of proper command of the ships. He trusted the noble Earl would be able to give a satisfactory answer upon the subject.

LORD ALCESTER said, that perhaps the noble Earl would permit him to reply to the Question which he had addressed to the First Lord of the Admiralty. The noble Earl had stated correctly the circumstances relating to the first appointment that had been made to the ship commanded by Captain Montagu. It was known by that officer that Lieutenant Pelham was not qualified by seniority for appointment to the *Garnet*, and, in addition to that, he was a gunnery officer. One of the complaints was, as he understood, that Lieutenant Hay was removed from the *Garnet* because he was a gunnery officer, and also because, on looking through *The Navy List*, the noble Earl had seen that a vessel of inferior tonnage had in that capacity seven or eight officers of that class. The noble Earl had answered his own Question. It was for that very reason—namely, that there were seven or eight gunnery lieutenants employed in the capacity of first lieutenants—that they became so very short, and it was necessary to remove Lieutenant Hay from the *Garnet*. The noble Earl also complained that Captain Montagu had not sufficient time to nominate another first lieutenant. Captain Montagu, he (Lord Alcester) was informed, had so repeatedly told his predecessor that he was not prepared to nominate any officer of his own, that the Admiralty had appointed him a good first lieutenant, and thus the officer superseded had been disappointed. The Admiralty had always endeavoured to meet the wishes of officers commissioning ships by giving them officers to their satisfaction; but, at the same time, they reserved power to appoint officers whom they thought necessary.

LORD ELPHINSTONE said, he begged to express his pleasure at seeing the noble and gallant Lord in his place, and hearing him take part in the Business of the country. If he had any regret it was to see him on the Ministerial side of the House instead of on the Opposition. He felt sure that the great experience of the noble and gallant Lord would prove of much value in matters coming under discussion, especially in matters relating to the Navy. With regard to the present question, he thought no good could possibly result either to the officer whose case was under discussion or to the Service in general; and he could only express his regret that such cases should be brought before the House. At the same time, it was important that the value of a first lieutenant to the commander of a ship should be recognized, and that removals should not be hastily made.

## CONTAGIOUS DISEASES (ANIMALS) ACTS—FOOT-AND-MOUTH DISEASE.

### MOTION FOR CORRESPONDENCE.

THE DUKE OF RICHMOND AND GORDON, in rising to call attention to the prevalence of foot-and-mouth disease in the United Kingdom, and to the continued importation of that disease from abroad; and to move for any Correspondence with Foreign Governments on the subject, said: My Lords, the great importance of this subject must be my excuse for trespassing for a short space upon your Lordships' time. The subject is of such great importance that it has been under the consideration of the Royal Agricultural Society of England, a Society consisting of some 8,000 members, having a Council of which the average attendance is 40 — a Society dealing with all questions of agriculture, and comprising Members of your Lordships' House and of the House of Commons; comprising a large number of owners and occupiers of land, and the most eminent Professors in veterinary science. I mention this to show that the interest on this matter and the feeling on this subject are widespread throughout the country. The Society have asked the Prime Minister, in conjunction with my noble Friend the Lord President, to receive a deputation on the subject; but I regret to hear that the Prime Minister is unable to be present. Without being discourteous to my noble Friend opposite, as representing agriculture in this country, yet I may say that the Royal Agricultural Society would have been glad to lay this most important question before the Prime Minister himself. The Highland and Agricultural Society has also applied for an interview on the subject. I merely mention these facts in order to show your Lordships that this is a question which attracts the attention of the agriculturists of the United Kingdom. I am glad to bring this question before your Lordships, because I consider that in an Assembly of holders of land, many of whom are actual occupiers of land, and many of whom are also practical agriculturists, I may very fairly bring the matter under consideration; and I think they are a body competent and able to deal with it, notwithstanding the sneers of Mr. Chamberlain at this Assembly, to which I will not condescend to further allude now, because I do not think his views are entertained by any class in this country, or even by any of his Colleagues. This question is, I think, one of universal importance. It affects the consumers of meat as much as the producers, for anything that affects the producer of meat must affect the consumer; and I am glad to think that the greater part of the population of this country are consumers of that article of food. This is a question closely affecting three classes of persons connected with the land—the owners of land, the occupiers of land, and the agricultural labourers; because, notwithstanding the unscrupulous assertions of agitators, I have always thought that their interests are identical, and that what is hurtful to one of those classes must be hurtful to the others. Therefore I think the question is one of universal interest. The question may be considered as two-fold. In the first place, there are those diseases affecting animals caused by wet seasons, and absence of sun, and other natural causes. There are diseases with which we have no power to deal; and if disease arises in a large manner from causes over which we have no control, it behoves us to keep greater watch over those diseases with which we are, to a great extent, able to grapple; and these latter diseases are of foreign importation. The principal diseases of that character are three in number — first, there is cattle plague; secondly, there is pleuro-pneumonia; and, thirdly, there is foot-and-mouth disease. As to the two first, I do not think it is necessary for me to trouble your Lordships with many observations, because cattle from countries infected with cattle plague are slaughtered on the Continent, and are not allowed to come here, and cattle suffering from pleuro-pneunomia are subject to compulsory slaughter in this country. With these diseases I need not trouble your Lordships. The disease to which I shall chiefly refer is the foot-and-mouth. In 1877, when the cattle plague prevailed in this country, the attention of the Government, of which I had the honour to be a Member, was called to its ravages; and, in consequence, a Committee of the other House of Parliament was appointed, composed of men who took a practical view of the subject, and presided over by my hon. Friend (Sir Henry Selwin-Ibbetson). The recommendations of that Committee formed, to a very great extent, the basis of the Bill which afterwards became an Act in 1878, and which has certainly had very beneficial results. The Report of the Royal Commission on Agriculture testifies to the success of that Act. The Commissioners say—

> "The evidence to which we have already referred proves that the effect of the Contagious Diseases (Animals) Act has been most beneficial. Wherever the local authorities have carried out its provisions with strictness it has been successful in checking the spreading of disease."

Under that Act we carried out very severe restrictions, and made arrangements in all parts of the country. There was a severe outbreak in Cambridgeshire before we left Office. The provisions of the Act were put into force, and the disease was stamped out. When we left Office there was no foot-and-mouth disease in the United Kingdom, and that result had been mainly brought about by carrying out with great severity and strictness the provisions of the Act. In the Report of the Veterinary Department of the Privy Council, published in 1881, I find this paragraph—

> "It was further pointed out that up to September, 1880, the whole of the United Kingdom of Great Britain and Ireland had been for some time, so far as the Veterinary Department of the Privy Council could ascertain, free from foot-and-mouth disease, and that the strongest evidence existed that its re-introduction was due to the landing of diseased animals from abroad."

There was an immunity from the disease, therefore, up to September, 1880; and I wish especially to call attention to this date, because, on the 20th of September, 1880, a cargo of diseased animals was landed at Deptford from France. Shortly after the 20th of September the disease made its appearance in the City of London and in some of the adjoining counties, and gradually spread throughout the country; and, from that time to the present, the country has not been free from foot-and-mouth disease. I am sure the Lord President will not deny that the disease from which we are now suffering is due to the importation of diseased animals from France. I will read to your Lordships what Professor Brown says in the Veterinary Report of 1880—

> "From the circumstances of the case, the foreign origin of the outbreak of 1880 was more clearly apparent than on any occasion of the appearance of the disease since its introduction in 1839. It is true that no actual proof exists in either instance of the direct intervention of a diseased foreign animal, or even of the transmission of the infective matter from a diseased foreign animal to home stock; but the fact that on both occasions the stock of the country was free from the disease which was known to exist on the Continent leaves no room for doubt as to the source whence the infection was derived."

We have, therefore, the evidence of Professor Brown as to the foreign origin of the disease in 1880, and I will tell your Lordships what progress it has made since. In 1880, 38 counties were affected with foot-and-mouth disease; there were 1,464 fresh outbreaks, and 32,378 animals were attacked. In 1881 the number of counties affected was 49, there were 4,833 fresh outbreaks, and 183,046 animals were attacked. In 1882 the disease existed in 49 counties, there were 1,970 fresh outbreaks, and 37,950 animals were attacked. After the facts to which I have referred, no one will, I think, deny that the disease is of foreign importation; but I wish to draw attention to its continued import from abroad. The serious nature of foot-and-mouth disease is beyond dispute, and it affects both breeding and fat stock—fat stock, it is true, not so seriously as breeding stock. But in the case of fat stock, if this disease makes its appearance when an animal is nearly ready for the market, it cannot be brought ripe so soon, and it costs the farmer more expense in food to bring it to a state fit for the butcher. In the case of breeding stock, it destroys the breeding powers of the cow; and, while killing the lamb, so diseases the udders of the ewe that she cannot breed any more. Therefore, I say that this disease affects the meat supply of the country by injuring the breeding stock of the country in the way I have described. The Report of the Cattle Plague Committee of 1877 states—

> "It was abundantly proved in evidence that the ravages of cattle plague since the Act of 1869, and the diminution of the breeding herds of the Kingdom from the fear of breaking out of cattle plague, are as nothing compared with the losses inflicted and the enterprize checked by pleuro-pneumonia and foot-and-mouth complaint. In addition to the losses to the community of animals actually destroyed by either of those diseases, or slaughtered to prevent the spread of pleuro-pneumonia, the agricultural and other witnesses laid great stress on the fact that, whatever loss fell upon the farmer from the deterioration of his stock through foot-and-mouth complaint, re-acted injuriously on the consumer by the diminution in the number of fat stock which the farmer was able to place on the market in a given time."

I come now to the numbers of diseased animals imported. In 1880, 155 animals affected with foot-and-mouth disease arrived here from abroad; in 1881 the number was 4,977; and in 1882, 592. In the first six weeks of 1883, from the 1st of January to the 19th of February, there was imported into this country from abroad an average of 10 diseased animals per day. These animals came in contact with thousands of others, and thus the disease is spread throughout the country. I am quite prepared to admit that Her Majesty's Government has done all in their power to check the disease. The Lord President has carried out the Act in a most energetic manner, by placing severe restrictions upon the farmers of the country, and by shutting up fairs and markets. The Veterinary Department of the Privy Council, which I had the honour to re-organize, under the direction of Professors Brown and Cope, has been all that could be desired. I doubt, indeed, whether I should have been able to carry out the severe restrictions which the noble Lord imposed; but, notwithstanding, the disease still goes on. Therefore, I say, we must do something which has not yet been done; and I have indications of what may be done by the act of the Lord President himself. I have said that he has been acting energetically. In France there was a great quantity of disease. What does the noble Lord do? In the first place, he shuts up Boulogne. But I apprehend the noble Lord soon found that shutting up the Port of Boulogne was not sufficient, because that does not prevent disease coming from France. Then, what does he do? Acting under the powers of the Act of 1878, the noble Lord says—"No animal at all shall come from France." That being so, I ask the noble Lord—"Why do you select France, because, by a Return which was moved for by Mr. Duckham in the other House, I see that this year there were more diseased animals in one cargo from the United States than in all cargoes from France put together?" If it is necessary, in order to keep out disease, that you should prevent animals being imported from France, I say it is equally necessary to prevent them coming from the United States. I do not know whether the noble Lord has seen a Report of the Chief Constable of Cumberland and Westmoreland, who has kept disease very much under in that part of the country, and has paid the greatest attention to the subject. In his Report to Quarter Sessions he comes to these conclusions—

> "All practical experience proves beyond any doubt that the disease is preventable, and that the three things necessary to keep it out are—(1), that its importation from foreign countries should be prevented; (2), that the power to local authorities to regulate the introduction of animals from Ireland into their districts should be continued; (3), that local authorities should be empowered to treat first or isolated outbreaks similarly to cases of cattle plague, instead of leaving them to be dealt with by subscription or the generosity of individuals."

Well, then, there is another matter with regard to these animals from America, and that is the enormous waste and loss that every year takes place in the transit of animals from that country. Your Lordships would probably scarcely believe the state of things which goes on in the passage between America and this country. In 1879, according to a Return of the Veterinary Department, 14,024 animals were thrown overboard, 1,249 were landed dead, while 455 were so much injured or exhausted that they were killed at the place of landing—making a total of 15,728 which were either lost on the passage or so much injured that it was necessary to slaughter them on landing. In 1880 there were 13,619 animals thrown overboard, 540 landed dead, and 384 so much injured or exhausted that they were killed at the place of landing—making a total of 14,543 which were either lost on the passage or so much injured that it was necessary to slaughter them on landing. So that positively there were no less than 30,000 animals in two years lost on the passage between America and this country. Now, this appears to me to be an enormous waste of food, to say nothing of the suffering to which the animals were subjected. The farmers, as I well know, are perfectly ready to submit to all necessary restrictions and regulations; but anybody practically acquainted with agriculture knows that they are a very great interference with the business of the farmer. They interfere greatly with the manner in which he has to carry on his trade. For instance, when an Order relating to markets is brought into operation, if the farmer takes his stock to market it must be slaughtered within six days, so that the farmer is, in that case, entirely at the mercy of the butcher, who can give him what price he chooses. But, suppose the farmer does not choose to send his stock to market, he is likewise at the mercy of the butcher who may come to the farm. Of this, however, the farmers do not complain; but they say—"If you interfere so materially with the manner in which we carry on our business, and prevent us getting the prices we ought to get, then we, on our part, have a right to demand of the Government that they put into operation all the powers they possess in order to prevent disease coming from abroad, which disease renders these regulations necessary." That is what the farmers say, and I confess there is justice in the views which they so urge. I believe that if we had perfect immunity from disease the breeding of cattle would go on much more satisfactorily, and to a much greater extent than it has done during the prevalence of disease. I hope I have made clear the case which I particularly wished to bring before your Lordships—of the great amount of disease existing in the country, of the continued importation of it from abroad, and the great damage this does to the agricultural classes of this country. I am not speaking my own sentiments only, but those of all classes of the agricultural community; and perhaps few people have better opportunities than I have of becoming acquainted with the views of the whole agricultural classes of this country. My Lords, I have no hesitation in saying that a feeling of deep disappointment exists among the agricultural classes at the great importation of disease from abroad, and the utter failure of the attempts of the Government to check the disease. I beg to move the Motion standing in my name.

*Moved*, "That an humble Address be presented to Her Majesty for any correspondence with Foreign Governments on the subject of the continued importation of foot and mouth disease from abroad."—(*The Duke of Richmond and Gordon.*)

Lord VERNON said, he wished to join in what was the well-merited praise bestowed by the noble Duke upon the Veterinary Department of the Privy Council. He was sure no one of candid mind would deny for a moment that agriculturists of all classes throughout this country were exposed to exceptional risks. Of the uncertainty of the seasons he would not speak, because it did not bear on the subject; but that the diseases of stock were very contagious was proved conclusively by the Reports of the Veterinary Inspector of the Privy Council. In the Report for 1881 the Inspector said—

> "Owners of stock are bound to endeavour to prevent the spreading of infection by keeping diseased animals separate from healthy ones, and they may not unreasonably be called upon to remember that every diseased animal is a manufactory of infectious matter;"

and he went on to add—

> "In fine, if local authorities and stock owners could be induced to act in concert with the Privy Council in carrying into immediate effect the provisions of the Act, an outbreak of foot-and-mouth disease might easily be arrested."

That was a serious reflection on the local authorities, and he would not say it was not deserved. He would take the opportunity of reading a paragraph in the Animals Order—

> "All animals being in or on the market, fair, &c., or other place aforesaid, at the same time, with an animal found to be affected with pleuro-pneumonia or foot-and-mouth disease, or swine fever, shall be dealt with in all respects as if pleuro-pneumonia, or foot-and-mouth disease, or swine fever, had not been found therein or thereon."

If the Veterinary Inspector pointed out

to the head of his Department that this disease was so extremely contagious, he wanted to know why an Order existed which established the rule that animals which were brought into contact with diseased animals might be removed? The law was decidedly defective, and should be remedied. The noble Duke had pointed out what were the effects of the disease on the farmers and producers, and also on the consumers. On the same point he might quote from the evidence of two competent witnesses—Professor Brown and Mr. Bowen Jones—to show that if the farmer could be protected against the disease he would be able to produce more meat than at present, and that the benefit of this would be felt by the consumer as well as the producer, and that the disturbance of the markets under the existing state of things was very injurious to the farmer's business. In his evidence before the Royal Commission on Agriculture, Mr. Bowen Jones said—

> "Restrictions placed on farmers with regard to contagious diseases of animals cause great inconvenience. Markets are disarranged, the result being pecuniary loss in the case of fat stock amounting to from £5 to £8 per head; in the case of sheep very disastrous when it breaks out among ewes going to lamb; in a breeding flock of, say, 300 ewes it may be estimated at £1 per head. Farmers consider they have a right to demand that the landing of all live animals should be prohibited from any countries not known to be free from contagious disease. Breeding of cattle and sheep has been very much discouraged by fear of disease. If free from contagious diseases, there is no doubt that very much more meat would be produced."

The effect of disease had been to limit the production of the best quality of meat, and on this point our Assistant Commissioner had recorded the condition of things in America, expressing the opinion that the demand for the best quality of meat was as large there, and was increasing as largely as in this country, and that unless the farmer exerted himself he would be left behind in the competition. If this were so, it pointed very clearly to the necessity for encouragement being given to the farmer by the removal of any obstacle which could be reasonably removed to the conduct of his business. He was quite aware of what the difficulties of the Government might be in dealing with such a question; but whether it was the case of the farmer or the trader, the course of his trade should not be interfered with in any way. If it could be proved at all, as he thought the noble Duke had proved, that the consumer's interest lay in the protection of our own cattle from disease, it pointed to the desirability of prohibiting the importation of live cattle from infected districts; but if the Government did not see their way to go as far as that, he certainly thought that the law relating to cattle disease might advantageously be strengthened; and if he was asked in what way, he would say that it would be desirable to bring about more united action among the local authorities, urban and rural. It was not for him to say how that was to be done. He knew it was a very difficult task; but he felt sure that it was quite impossible to administer the law properly while they had one authority trying to close the market, and another authority, equally strong, trying to open it. All markets should be licensed, and if the disciplinary order of the market was not thoroughly well maintained, it might be a question whether the Privy Council should not close it for some time. Licences also might be given to inspectors, drovers, salesmen, and others. Having thought over the matter some time, it appeared to him that the whole question resolved itself under three heads. The central authority, although working with the most praiseworthy energy, was powerless, under all circumstances, to prevent the introduction and spread of infection. Secondly, the rapid transit of stock and their conveyance by railway had led to the transmission of infection from one centre to many sub-centres in a few hours; and, thirdly, there was a conflict of practice between local authorities which ought to be remedied. He had only one more remark to make, and that was in reference to an opening remark by the noble Duke. As a member of the Council of the Royal Agricultural Society of long standing, he certainly very much regretted that it was not within the power of the Prime Minister to receive a deputation on the matter from the Society. The noble Lord the Lord President of the Council was, no doubt, aware that for many years the Privy Council and the Council of the Royal Agricultural Society had been in constant communication in reference to the subject of cattle disease; and he was quite confident that the action taken by the Society, supported as it was by the energy and accuracy of their secretary, Mr. Jenkins, was a very great assistance to the Privy Council, and he repeated that he much regretted they could not have the honour of being received in deputation by the Prime Minister.

THE MARQUESS OF HERTFORD desired to say only a few words in corroboration of what had fallen from the noble Duke and the noble Lord who had just sat down. He had the misfortune to live in one of the Midland counties, a part of England that had suffered more than any other from the agricultural disasters of the last seven years. The tenant farmers found that their only hope of recovering from those disasters was in breeding much more stock; but they declared that this could not be done unless the foot-and-mouth disease was averted from their homesteads; and although no inconvenience could exceed that of having the markets interrupted as they had been by the existing regulations with regard to the importation of disease from America, they did not see why, if the disease could be prevented from coming from France, it could not equally be prevented from coming from America. There was a very strong feeling among farmers that they, as a body, were and had been neglected by Parliament; and, therefore, he did feel it his duty to press, both upon Her Majesty's Government and on all sides of the House, the necessity of doing everything they possibly could for the farming interest. He hoped the Government would take up the question so well brought forward by the noble Duke, and that they would do their very best to extirpate foot-and-mouth disease, by putting into effect the proposals made by the noble Duke.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL): My Lords, I wish, in the first place, to recognize the grave importance of this question of cattle disease to the agricultural interest; and, in the next place, I wish to thank the noble Duke (the Duke of Richmond and Gordon) for the language he has used with respect to the action of the Council, since he left it, in the administration of the Act of 1878, under the direction of Lord Spencer first and afterwards of myself; and also for the language he used as to the able and experienced gentlemen who assist with their invaluable services the head of that Department. My Lords, this question of dealing with foot-and-mouth disease is a matter of no small difficulty. I say this more on behalf of the permanent officers of the Department than on my own; but it is a matter of far greater difficulty, and requiring more constant exercise of discretion and responsibility—conflicting responsibilities very often—than the task of dealing with the more grave and fatal diseases of cattle. In the case of those diseases, with which I hope and trust we shall have no need to deal, the danger is so great that powers of the most stringent kind are intrusted to the Government; but in the case of this disease—the foot-and-mouth disease—serious as its consequences are, the danger is so much less, the actual loss of animals is so trifling, and the impossibility of using those extreme powers is so clear, that the ordinary daily dealing with this disease under the powers of the Act is one of no small difficulty and requiring no little discretion. However, the noble Duke, as I understand him, contends in fact, although he was cautious in all his statements, that the Act of 1878, as administered both by himself and by his Successors, has now been proved a failure, so far as the exclusion of foreign contagion is concerned. My Lords, the Act of 1878 has not stamped out the disease; indeed, I do not know whether it was expected that it would succeed to that extent. Certainly a great many people did not believe it; and I know that in this House, when that Bill was under discussion, that opinion was strongly expressed even by those who were very anxious that the Bill should pass. The noble Duke will remember that Lord Ripon, while objecting to the first form of the Bill and its extreme rigour, afterwards modified in the other House, said he did not believe it would be possible actually to stamp out foot-and-mouth disease under the powers of the Bill, nor that it was desirable to use such extreme powers as alone could have the effect of stamping out the disease. My Lords, what has happened since that time? As the noble Duke said, in the course of the year 1880 the disease had dwindled almost to nothing; but in September of that year it appeared again, and there is every reason to think that the noble

Duke is right in the cause he assigned, and that it was introduced by a cargo of French animals. Another theory was, indeed, broached in "another place," and that was that the cause was to be found in the return of Mr. Gladstone to Office; but I believe the arrival of the French cow at Deptford has been generally recognized as the cause. Since then the noble Duke says that foot-and-mouth disease has existed, more or less, in this country. There has, no doubt, been far too much of it; but one question we have to consider is, how much of it has there been, or how much is there likely to be? I am far, indeed, from wishing to underrate the gravity of the matter, and I know the great amount of inconvenience which is occasioned by the restrictions to which farmers and dealers are subjected, and how considerable is the loss, and, of course, in many individual cases, how grave and serious the loss is; but what we have to ascertain, with a view to solving the noble Duke's question of a remedy, is the amount, upon the whole, of national loss and evil caused by the existence of this foot-and-mouth disease. My Lords, I will ask you for a moment to consider the figures, and I take the outbreaks that have occurred upon particular farms and premises in the last few years. In 1881 the number of outbreaks on farms and premises was 4,833, and the number of animals attacked with the disease 183,000. In 1882 there were 1,970 outbreaks, and 37,950 animals attacked. My Lords, those are the figures; but, to consider their importance as a national question, one must first remember the proportion between the 37,000 animals attacked with foot-and-mouth disease and the total stock of animals in this country, which amounts to a larger number of millions. In the next place, I should like your Lordships to compare these numbers with what would be possible, as it has before happened, supposing we did not enjoy the protection of the Act of 1878, an Act which I consider of great importance, and to which its author, the noble Duke, has hardly done full justice to-night. In 1871, before the passing of that Act, and when no such protection practically existed, the number of outbreaks amounted to 52,164, and the number of animals attacked to 691,565. That is a comparison of what happened before we had the benefit of the Act of 1878 with what has taken place since. Let me compare with this the loss caused by a very different disorder, the fluke in sheep. What was the loss in sheep during the last two years? It has been enormous, amounting to 10 per cent upon the whole stock in the country, something like 3,000,000. I only make the comparison for the purpose of giving a clear idea of the extent and amount of the national loss caused by the existence of foot-and-mouth disease. Last summer there was very little of it. I remember a letter from Mr. C. S. Read, read by my right hon. Friend Mr. Mundella, in the House of Commons, on the subject—Mr. Read belongs to a county which suffered most of all—and that letter stated that at the time he was writing the flocks and herds of this country were freer from disease than at any time during the last 20 years; and, although that statement was not quite accurate, it was not far from it. Towards the end of the year, however, there was a fresh outbreak—that is to say, the amount of disease in some parts of the country increased. These is no reason to attribute that increase to any foreign importation; and, although it is impossible to say that foot-and-mouth disease may not have made its way into the country from abroad, there is no proof whatever that such was the case. The disease increased at the end of the year, and at the beginning of the present year the weekly number of outbreaks became very high—that is, what we now consider very high—namely, 200 or 300 a-week during February and March. Now we have got them down to 100, under the influence of those restrictions which the Privy Council have imposed upon those engaged in the cattle trade of this country. Now, I do not underrate the inconvenience of those restrictions; but it is an entire mistake to suppose that the country gains nothing from them; on the contrary, much is gained, although the disease is not completely stamped out. Let me, again, take some statistics from 1871. Instead of there being 200 or 300 outbreaks, which we now complain of having to endure, we had then 3,000 or 4,000 a-week, and the number of animals attacked amounted to between 40,000 and 50,000 per week, so that the number of animals attacked in one week was greater than the whole number attacked in 1882. That is a comparison quite worth while taking notice of. As I said just now, I think the noble Duke hardly does justice to the effects of an Act for which he himself is responsible, and for which he deserves great credit. I contend that that Act has been a great success; it has almost extinguished pleuro-pneumonia; and, although it has not extinguished, it has enormously diminished the ravages of foot-and-mouth disease; and I should like, in justice to the noble Duke, to state that all the prophecies indulged in with regard to the interference the rule of slaughtering at the ports would occasion in the foreign meat trade have been entirely disproved. The system of slaughtering at the ports has, in that respect, been a complete success, as the figures I will place before your Lordships will show. The number of foreign animals in the two Metropolitan markets, the free live stock market at Islington, and the foreign animals' wharf for slaughter at Deptford, in 1878, was 126,000, of which more than half came to the free market alive. In 1882, 157,000 animals came altogether, of which only 28,000 came to Islington, the remainder being slaughtered at Deptford. The Act, therefore, in that respect has been successful; but still the evil exists, although it exists in a limited form, and the question is, what is the remedy? The noble Duke, as I understand, recommends as a remedy the rule of prohibiting the importation of any foreign live animals into this country. That is, at all events, the recommendation of the Royal Agricultural Commission. The Report of the Royal Agricultural Commission says—

> "That the landing of foreign live animals should not be permitted from any countries as to which the Privy Council are not satisfied that they are perfectly free from contagious disease."

Well, that amounts very nearly to a prohibition of all live animals. The loss involved at the present time in such a regulation would be a loss of no less than 1,500,000 animals, valued at something like £9,000,000. The noble Duke himself pointed out in 1878 the gravity of such a loss, and we have no reason to suppose the gravity less now; on the contrary, it would be greater, for the value of the animals, and the demand for meat, has increased. The noble Duke insists that the remedy is to be found in the dead meat trade. That would be a very desirable trade to encourage, not only because the danger of infection would be lessened, but on account of the diminution in loss of animals while on their way to this country. But we have no reason to believe that our prohibition would convert the Continental trade in live animals into a dead meat trade—indeed, experience points the other way. And, at all events, the only way in which it would be possible to establish it in the way the noble Duke suggests would be by showing our firm determination to prohibit permanently the importation of live stock; and, to render such a sacrifice worth making, it ought to be shown to be morally impossible for the disease to enter this country under those circumstances. The reason why we should never have the certainty of safety is because of the daily communication with the Continent. Besides this, the daily communications between this country and thousands of farms and dairies abroad are enormous, so that there are a hundred ways in which infection could still be introduced. And I need not say that if the dead meat trade should spring up, as it is hoped it would, as the only compensation for the loss of the live meat trade, such dangers would be enormously increased. Men would be engaged at the port of export in handling and slaughtering diseased animals on one day, and might be in the London market on the next. It is not to be forgotten that the foot-and-mouth disease was first introduced into this country in 1839, at a time when an absolute prohibition of foreign animals prevailed and had prevailed for years before. Therefore, under the old system we did not enjoy anything like perfect immunity from infection. The noble Duke says that the Privy Council must use the powers conferred on them to a far greater extent than they have hitherto done; and he has referred to the Order recently issued under my direction as to the prohibition of importing from France. I say simply that I have used the discretionary powers conferred on the Privy Council by the Act of 1878. The same thing was done before with beneficial results by Lord Spencer in the case of Spain and Portugal. When the noble Duke draws a comparison with the United States, I would point out that the case is really different. No doubt there was lately an infected cargo which arrived from the United States. But the fact is, there is very little foot-and-mouth disease in the United States, and some say there is none at all. But the noble Duke must remember that two or three animals put on board would have time to infect the whole cargo before its arrival in Liverpool. Then the noble Duke says we ought to have used what he assumes to be the powers of the Act of 1878 for the purpose of a general prohibition of foreign live animals. That subject has been very carefully considered, and I am satisfied that the Privy Council would not be justified in using the powers of the Act of 1878 for that kind of wholesale prohibition. We do not believe that is the spirit of the Act or its intention. If we were to adopt the advice of the noble Duke we should entirely do away with the ordinary general rule of the Act and confine ourselves to the exceptions. We have the highest legal authority for saying that such a course is not within the spirit of the Act. If the advice of the noble Duke were to be acted on, the Privy Council could only act with the assistance of fresh legislation. I am bound to say that the Government are not prepared to introduce legislation for that purpose. I can only say that the obligation rests upon myself and the Privy Council of using all the powers we possess under the Act for the purpose of reducing foot-and-mouth disease to the narrowest limit. I need not assure the House that for that purpose all such powers shall be used. I should like, however, to point out that it is of the last importance that we should have the active co-operation of the local authorities throughout the country. They can do far more than the central authority in many cases, especially in dealing with individual outbreaks when the disease first shows itself. If each outbreak could only be isolated there could be no doubt that that mode of prevention was the most effective and the least obnoxious. The local authority has not hitherto had the power under the Act of declaring an infected area, and very considerable delay and circumlocution has often occurred before the necessary definition of an infected area has been obtained, and in the meantime any movement of animals of a most mischievous character may take place, and has taken place. I hope to remedy that defect by an Order which is now framed, and which will provide that from the moment the Inspector has declared an infected place, that declaration in itself shall create what the Order will call an infected circle round that place of about half-a-mile radius, so that from the moment that infected place has been declared by the Inspector, no movement can take place out of or into that district, at all events. Of course, that will be a temporary matter, because as soon as possible the local authority will in the ordinary way recommend the proper boundary which the Order in Council will determine, and in that manner dangerous movement will be prevented. Matters have been complicated by the fact that foot-and-mouth disease has found its way into Ireland, where the disease has been combatted with great energy by Lord Spencer and the Irish Privy Council, and it is hoped that the evil will be got over; but it has added to our danger. In Scotland, where unluckily they have got foot-and-mouth disease of late, coming, I believe, from Ireland, the local authorities have taken such vigorous measures that they have reduced the number of cases to almost nothing, and with every prospect that in a very short time the whole of Scotland will be again free from the disease. Some English local authorities have acted as efficiently, and what has been done by some of those authorities could be done as effectually by all. I have been looking very carefully indeed into not only the regulations, but the practices at the foreign animals' wharves, with the view of increasing as much as possible the stringency of the rules there and their effect in keeping the disease within those wharves. And with respect to the prohibitions in specified cases of the importation of foreign animals—as to which I shall be glad that the Papers moved for by the noble Duke should be seen by your Lordships—we shall be most ready to use the powers to the utmost that we believe we possess, not to the extent the noble Duke recommends, but in every case in which we think, within the powers of the Act, they can be usefully exercised. As to the importation from specified foreign countries, as in other matters, I can only say that under a strong sense of responsibility no effort shall be wanting on our part to deal with this most troublesome and mischievous disease, in the repression of which the agricultural classes of this country are so deeply and naturally interested.

Lord DENMAN said, he did not understand that the Royal Agricultural Society wished to exclude animals imported from any countries but those infected with foot-and-mouth disease. He believed that declarations of soundness might accompany all animals imported; and expressed a hope that mutual facilities would be afforded by foreign nations and by the authorities in this country to check that disease. It was a great loss to an importer when his animals had to be slaughtered. In East Lothian the flock of an eminent breeder, some of whose rams were worth more than £20, were attacked. He was glad to hear an intimation from the noble Lord the Lord President of the Council, that infected areas would be defined by distance rather than by so large a space as a Petty Sessional Division, when they were the districts of a local authority; and it was to the interest of every country to check this disease.

The Duke of RICHMOND and GORDON, in reply, said, he was afraid that the agricultural community would read with dismay the remarks of the noble Lord the President of the Council. They certainly thought that the disease was of far greater gravity than the noble Lord seemed to admit. The noble Lord had, he thought, said that the actual losses from it were trifling. [Lord Carlingford expressed dissent.] One of the paragraphs in the Report of the Commission over which he had the honour of presiding was to the effect that the evidence as to the discouragement to breeders of cattle and sheep in Great Britain, and the consequent diminution of the supply of meat, which arose from the extensive prevalence of disease in this country, appeared to them to be conclusive. It was owing to the fact that the farmers of this country were not satisfied that their flocks and herds would be free from disease, that they did not enter into breeding with the spirit and energy they otherwise would exhibit. He was glad to have it now admitted that the late Government had done something for the farmers, because that had been denied by some who were high in Office. The noble Lord the President of the Council said that the Act which was passed through Parliament by the late Government had been a complete success. It might, therefore, be assumed that on that occasion they had acted in the interest of the farmers. If the noble Lord thought he had not the necessary powers, and that they ought to be secure from having disease imported into this country, he ought to apply to Parliament and ask it to legislate for the purpose. The noble Lord told their Lordships that they could not have a perfect immunity from disease. That might be so; but of one thing he felt perfectly sure—namely, that if animals were slaughtered at the ports of embarkation they would minimize the risk to the smallest possible amount. It seemed to him that they must take more stringent measures than they had hitherto taken. The agricultural body looked with the greatest interest to the remarks of the Lord President; they would hope that by some means or other they would be no longer subject to that disease, which he could assure the noble Lord was one of the greatest inconveniences to all who were engaged in agriculture.

Lord CARLINGFORD (Lord President of the Council) said, he should be sorry to be misunderstood. He did not intend to treat this question or the loss to agriculturists as a trifling one. On the contrary, he endeavoured to treat it as a very serious matter, and his object was to arrive at some estimate of the total national loss and mischief for the purpose of comparing it with the alternative which lay before them in the exclusion of a very large amount of their food supply.

The LORD CHANCELLOR said, he wished to correct what seemed to be an impression of the noble Duke. The Lord President had not said that there was not ample power under the Act to exclude importation from Germany or the United States, as he had made an Order with reference to France. All that his noble Friend had said was that he could not make a sweeping universal Order to exclude permanently importation from all countries, subject to particular exceptions of countries which were supposed to be perfectly secure and free from disease. That might, or might not, be within the letter, but it certainly was not within the spirit of the Act. To pass a universal Order in

Council, either specifying by name all the countries of the world, or excepting some particular country, or embracing in more general terms every country, if it were not founded on particular reasons applicable to each country, would be legislation and not administration of the law.

Motion *agreed to.*

### ARMY (ANNUAL) BILL.—(No. 25.)

(*The Earl of Morley.*)

THIRD READING.

Order of the Day for the Third Reading read.

*Moved,* "That the Bill be now read 3ª."—(*The Earl of Morley.*)

THE EARL OF LONGFORD called attention to the large unprofitable expenditure upon Army Services, estimated by a high authority at £500,000 a-year, caused in great measure by the acceptance of unsatisfactory recruits, and by fraudulent enlistments. The Establishment of the Army was so low for its various duties, that, as far as possible, every man voted by Parliament should be an effective soldier.

THE EARL OF MORLEY said, he was at a loss to know the reasons for the noble Earl's remarks. Of late years, great care had been taken in the selection of recruits. The age had been raised, and the medical examinations had been more stringent. Moreover, the number of men who offered themselves as recruits last year was higher, and the proportion of those who were rejected was higher, than in any preceding year.

Motion *agreed to;* Bill read 3ª accordingly, and *passed.*

House adjourned at Eight o'clock,
till To-morrow, a quarter
past Ten o'clock.

## HOUSE OF COMMONS,

*Monday,* 16*th April,* 1883.

MINUTES.]—PUBLIC BILLS—*Resolutions in Committee*—Baron Alcester; Baron Wolseley of Cairo; Messages from Her Majesty [13th April].

*Ordered—First Reading*—Drainage (Ireland) Provisional Orders* [144].

*Second Reading*—Patents for Inventions [3], and *committed* to Standing Committee on Trade, Shipping, and Manufactures; Criminal Code (Indictable Offences Procedure) [8], and *committed* to Standing Committee on Law, and Courts of Justice, and Legal Procedure.

*Committee discharged—Referred to Select Committee*—Crown Lands * [122].

*Committee—Report*—Prevention of Crime (Ireland) Act (1882) (Audience of Solicitors) [61].

*Third Reading*—Oyster and Mussel Fisheries Orders Confirmation * [87], and *passed.*

## PRIVATE BUSINESS.

### PARLIAMENT—GRAND COMMITTEES AND PRIVATE BILL COMMITTEES—RAILWAY BILLS (GROUP 6).

REPORT.

MR. R. H. PAGET *reported* from the Committee on Group 6 of Railway Bills; That, for the convenience of the parties, the Committee had adjourned till Wednesday next, at Twelve of the clock.

SIR WILFRID LAWSON said, he was informed that the Committee in question had adjourned over to-morrow, in order to suit the convenience of some of its Members who were Members also of one of the Grand Committees which sat to-morrow, and who consequently had to attend that sitting. It would be very inconvenient if the meetings of the Grand Committees and of Private Bill Committees were to clash in that way, inasmuch as, in consequence, the parties were kept in London, at a great expense, who had come up to attend the Private Bill Committee. He would ask his hon. Friend opposite (Mr. Paget) whether it was on account of the Grand Committee that the Private Bill Committee had adjourned?

MR. R. H. PAGET, in reply, said, that, as far as his experience went, it was not usual to go behind the Report of a Committee like this. The Committee reported that the adjournment had taken place for the convenience of the parties. He thought he might say, however, for the satisfaction of the hon. Member, that he had reason to know that there were Members of the Private Bill Committee referred to, who would be otherwise engaged to-morrow in Public Business of the nature indicated by the hon. Baronet.

Report to lie upon the Table.

## QUESTIONS.

### EGYPT—RELIGIOUS CEREMONIES AT CAIRO—THE "HOLY CARPET"—ATTENDANCE OF BRITISH TROOPS.

Mr. R. N. FOWLER, gave Notice, that he should ask the Secretary of State for War, Whether he will cause to be printed, and lay on the Table of the House, the Memorandum with respect to the attendance of British soldiers at the sending of the "Holy Carpet" from Cairo to Mecca?

The Marquess of HARTINGTON, in reply, said, he could at once answer the Question of the hon. Member. The Memorandum had already been laid on the Table of the House; but he had nothing to do with the printing, as to which the hon. Member had better consult the authorities of the House.

### ARMY—HEAVY RIFLED GUNS—MR. LYNAL THOMAS.

Mr. MACFARLANE asked the Secretary of State for War, If he will lay upon the Table a Copy of the Memorial presented to the War Department by Mr. Lynal Thomas and the Correspondence which has passed between Mr. Thomas and the War Office since July 1882, having reference to a claim for repayment of expenses in connection with heavy rifled cannon?

The Marquess of HARTINGTON: Sir, as I cannot see that any public object would be gained by producing the documents officially, I cannot undertake to lay the Correspondence on the Table. Mr. Thomas has, no doubt, the Correspondence in his possession, and there can be no objection to his publishing it, if he thinks fit.

### ARTIZANS' AND LABOURERS' DWELLINGS ACT, 1882.

Sir R. ASSHETON CROSS asked the Secretary of State for the Home Department, What steps have been taken by the Commissioners of Sewers under "The Artizans' and Labourers' Dwellings Act, 1882," towards ensuring the building of suitable accommodation on the ground cleared under the Act of 1875?

Sir WILLIAM HARCOURT: Sir, the delay in this matter has been mainly due to the fact that the Commissioners of Sewers, on the 15th December last, submitted a scheme which was not found to be entirely satisfactory, and the Home Office could not sanction it. On the 28th of February they submitted a second scheme. That being also unsatisfactory, was declined; and on the 10th of April a third scheme was submitted, which it was found possible to adopt, and which had been approved of.

Sir R. ASSHETON CROSS: Then there will be no further delay?

Sir WILLIAM HARCOURT: No doubt, Sir, the matter will be gone on with.

### LAW AND POLICE—DYNAMITE AND EXPLOSIVE MATERIALS—REWARDS TO OFFICERS.

Mr. SALT asked the Secretary of State for the Home Department, If he will take into consideration whether some special and adequate acknowledgment can be given to the police officers who were engaged in the discovery or removal of the dynamite and other explosive materials recently captured?

Sir WILLIAM HARCOURT: I hope, Sir, from what I have said in this House as to what I feel, and the Government feel, that hon. Members will not think that there is any disinclination to appreciate and to recognize in all proper ways the services which the police have rendered. But I appeal to the hon. Member and the House generally, whether it is not far better to leave the administration of the police generally—where I think it ought to be—in the hands of the Executive Government in this, as in other matters?

Mr. JOSEPH COWEN said, there were other persons who ought to be rewarded equally as well as the police; and for that reason he wished to ask the right hon. Gentleman a Question arising out of the last Question. It was, Were the Government going to reward the experts who had shown so much courage and skill in destroying the large quantity of nitro-glycerine at Birmingham? It was a very dangerous operation, and it was performed with great success. Some years ago they had, in Newcastle, a very serious accident in consequence of attempting to destroy some nitro-glycerine near that town. There were eight persons killed in doing it, amongst them the Sheriff of Newcastle, the Town Surveyor, and, indeed, all who were present. He saw that the Birmingham Corporation, with Brummagem generosity, had voted Mr. Macready, who destroyed the glycerine, the handsome sum of £10. He wished to know if the Government were prepared to supplement the gift by recognizing better Mr. Macready's great services?

SIR WILLIAM HARCOURT: I am not sorry to have this opportunity of bearing my testimony to the courage and skill exhibited by all the gentlemen who were not connected with the Police Force—by Major Majendie, the Inspector of Explosives, by Dr. Dupré, the eminent chemist, and by the other gentlemen to whom the hon. Member (Mr. Cowen) has alluded; and, also, I have no doubt by others who have risked their lives in order to secure the public safety. But again I would ask that the House, feeling that the Government are not insensible of these things, should leave the matter to the Executive.

### GIBRALTAR—THE MARITIME JURISDICTION—THE PAPERS.

SIR H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, When the translation of Papers from the Spanish Red Book concerning Gibraltar will be distributed?

LORD EDMOND FITZMAURICE, in reply, said, it was hoped that the Papers respecting maritime jurisdiction in Gibraltar waters would be distributed in the course of the present week.

### SCOTLAND—THE GLENDALE CROFTERS.

MR. MACFARLANE asked the Secretary of State for the Home Department, If his attention has been called to a statement in the newspapers, that seventy Glendale Crofters have been served, or are about to be served, with notices of eviction; and, if this statement is correct, whether he proposes to take any steps to prevent the removal of the people pending an inquiry into their case by the Royal Commission?

SIR WILLIAM HARCOURT: Sir, I have no knowledge of the details to which the first part of the Question of the hon. Member alludes; and with regard to the second part, the hon. Gentleman must be aware that I have no power to suspend the operations of the law. It would, moreover, be a very bad thing if we thought that the appointment of an impartial inquiry should offer any justification or excuse for the non-observance of the law. On the contrary, the existence of such an inquiry ought rather to encourage people to be patient, and to observe the law.

### METROPOLITAN CARRIAGE ACTS—THE CAB RADIUS.

MR. MACFARLANE asked the Secretary of State for the Home Department, If his attention has been called to the proposals made by a Committee presided over by the Lord Mayor having reference to the extension of the present cab radius; if he will take into his consideration the question of its enlargement; and, if he would be prepared to to adopt the plan of limiting the distance for which a cab can be hired for a sixpence a mile to five miles from the place of hiring, and that beyond that distance, whether within or without the Metropolitan limits, the fare shall be one shilling for each mile or part of a mile?

SIR WILLIAM HARCOURT: Sir, it is, no doubt, a very interesting matter; but the Report of the Committee presided over by the Lord Mayor is not yet before me. When it is, I shall be willing to consider it. But it should be remembered that there are two parties to be considered in this matter. We must consider the interests, not only of the public, but also of the cabmen, before we deal exhaustively with this matter, and the latter will have to be heard upon it.

### EGYPT (MILITARY EXPEDITION)—PURCHASE OF MULES.

DR. CAMERON asked the Financial Secretary to the War Office, with reference to the mules purchased by Major Carré for the Egyptian Expedition, Whether they have as yet been paid for; if so, it being acknowledged that the Veterinary Surgeon who accompanied Major Carré to Smyrna refused to pass the mules, and that the Committee appointed to report on them on their arrival at Ismalia reported only 198 out of a consignment of 612 animals as fit for service; by whose authority the payment was made?

SIR ARTHUR HAYTER: Sir, the mules alluded to in the hon. Member's Question as purchased at Smyrna, were paid for in London, under the terms of the contract, on the receipt of the mules in Egypt being certified by the local military authorities. The Board held in Egypt declared 198 mules to be fit for immediate service; the majority of the remainder were fit, and went to work within five to 14 days afterwards.

Dr. CAMERON further inquired, whether it was customary to pay for animals purchased under the inspection of a veterinary surgeon, when that veterinary surgeon had refused to pass them?

Sir ARTHUR HAYTER: It is not the case, Sir, that the veterinary surgeon refused to pass the mules in question.

## LOCOMOTIVES ON HIGHWAYS ACT—TRACTION ENGINES—FURTHER LEGISLATION.

Mr. STUART-WORTLEY asked the President of the Local Government Board, Whether there is any prospect that the Government will during the present Session do anything to satisfy the expectation raised by his right honourable predecessor's answer to a deputation which last year urged upon the Board the need of further regulating the use of steam traction engines upon high roads?

Mr. HIBBERT, in reply, said, that the important representations made by the deputation had been carefully considered by the Local Government Board. While the Board admitted the desirability of imposing some further restrictions on the use of these engines, looking to the measures proposed for the present Session, they were unable to hold out any expectation of a Government measure on the subject being introduced this year.

## POST OFFICE—THE PARCELS POST.

Mr. STUART-WORTLEY asked the Postmaster General, Whether a Circular has been issued to mail carriers, forbidding them to carry after the 2nd of July next any parcels not exceeding seven younds in weight, otherwise than as part of Her Majesty's mails; and, whether he is aware that the effect of this prohibition will be seriously to cripple the early delivery of newspapers in rural districts; and, if so, whether he will kindly consider the possibility of withdrawing or modifying this Circular?

Mr. PICKERING PHIPPS asked the Postmaster General, Whether the drivers of Mail carts, although prohibited from taking passengers, have been allowed by the Post Office authorities to carry parcels, and have done so to a large extent for the newspaper press; whether, as the new rate for parcels post delivery of newspapers will be much greater than the sums hitherto paid to the drivers of Mail carts, it will be possible to charge the newspaper press, as regular and wholesale customers, a lower rate; whether it is the fact that Railway Companies carry newspaper parcels at half their ordinary parcel rates; and, whether the Government Telegraph Department charges the press a much less sum for telegrams than is charged for private telegrams, without injury to the Telegraph Department and with great advantage to the public?

Mr. FAWCETT: I think, Sir, it will be convenient if I answer the Question of the hon. Member (Mr. Stuart-Wortley) and that of the hon. Member for South Northamptonshire (Mr. P. Phipps) at the same time. I believe it will be admitted that it would not be expedient to allow mail contractors to carry parcels which would compete with the parcels to be carried by parcels post; and, in my opinion, it would be very undesirable for the Post Office to depart, as suggested, from the principle of uniformity of charge, and allow parcels of newspapers to be carried at a lower rate of postage than other parcels. I should, however, so much regret that the introduction of the parcels post should in any way interfere with the cheap and early circulation of newspapers in the rural districts, that I will consider whether any arrangements can be made for allowing contractors to continue to carry parcels of newspapers so long as the carrying of these parcels in no way interferes with the delivery of the parcel and letter mails.

## MERCANTILE MARINE—CLASSIFICATION OF MERCHANT VESSELS.

Mr. FRASER-MACKINTOSH asked the President of the Board of Trade, Whether all ship classification clubs are merely for purposes of insurance; and, whether, as almost all the matters connected with merchant shipping are now regulated by the Board of Trade, he will consider whether it is not advisable that a more strict survey and classification of all merchant vessels should be placed under the supervision of the Board of Trade?

Mr. CHAMBERLAIN: Sir, the clubs mentioned in the Question do exist chiefly for purposes of insurance. As regards the proposal to secure a more strict survey and classification of all merchant vessels under the supervision of the Board of Trade, I am not prepared to propose any legislation which would so largely increase the duties of the Board, and so largely interfere with private responsibilities.

### SCOTLAND—THE KEEPER OF THE REGISTER OF SASINES.

Mr. FRASER-MACKINTOSH asked the Lord Advocate, Whether the Keeper of the Register of Sasines (salary £1,000) assumes the position that he is not responsible for the discharge of the business of the office by the staff engaged therein; whether, during the past six months, after intimation of supposed defalcations, he allowed weeks to elapse before taking the trouble to call at the office to institute personal inquiries; and, whether John Calder Bryce, one of the inculpated clerks, after admitting his guilt, was for several days allowed to frequent the Register House, or at least went about so publicly as to permit of easy capture?

The LORD ADVOCATE (Mr. J. B. Balfour): Sir, I am not aware of any ground for the suggestion that the Keeper of the Register of Sasines assumes the position described in the Question. He informs me that he has never done so, and that he does not consider his position to be different from that of any other head of a Department of the Civil Service. When the suspicion of defalcations arose in the Sasine Office, the Keeper was absent on holiday in the month of August. He considered that it would be injudicious for him to return to Edinburgh at an unusual time, as his doing so would have given rise to remark throughout the Office, and not improbably have defeated the discovery of the suspected frauds; but he immediately gave the necessary instructions for inquiries being instituted, and they were well and properly conducted. John Calder Bryce never admitted that he had participated in the frauds. On his admitting that he knew that two other clerks had made higher charges than they were entitled to, he was immediately suspended, and the fact of his having made the admission was communicated to the Procurator Fiscal. A few days afterwards, he absconded; and, up to the time of his doing so, there was no evidence to warrant a criminal charge against him.

### NAVY—NAVAL STORES—ENGINES AND BOILERS SUPPLIED BY PRIVATE FIRMS—GUARANTEE.

Mr. FRASER-MACKINTOSH asked the Secretary to the Admiralty, Whether engines and boilers built and engined by private firms for the Navy, are guaranteed and upheld for six months, according to custom in orders for supplying merchant shipping; and, whether there will be any objection to laying upon the Table of the House a Return of the costs and expenditure on Engines and Boilers so supplied since 31st March 1880?

Mr. CAMPBELL-BANNERMAN: Sir, by a clause in the form of contract for machinery, contractors are held responsible for the efficiency of the machinery for a period of 12 months after it has been accepted, and any parts which may, during that period, be found defective, or showing symptoms of weakness, owing to faulty design, materials, or workmanship, must be removed, and others substituted for them at the contractors' expense. This condition is always enforced; and there have been no costs or expenditure on the part of the public, such as my hon. Friend suggests might be included in a Return.

### NAVY—VICTUALLING, &c.—SEAMEN'S RATIONS.

Captain PRICE asked the Secretary to the Admiralty, What is the cost to Government of the ration allowed to a seaman in Her Majesty's Navy; whether, for convenience and economy to the Government, as well as for the comfort of the men, they are allowed to take the whole or part of this ration in money; if so, what sum of money does a man receive for his ration; and, if he would state what has this difference, between cost and value paid, amounted to annually during the last ten years, and in what way has it been made good to the men?

MR. CAMPBELL-BANNERMAN: Sir, the seaman's rations cost between 11*d.* and 1*s.* a-day. For the convenience of the seaman, he is allowed, within certain limits, to save such part of his rations as he may think proper, and for the quantities saved he is paid at fixed rates, averaging nearly three-fourths of the cost price. The terms are intended to have the effect—except in the case of rum—of somewhat discouraging the practice, as the full ration is presumed to be the best for the maintenance of the seaman's bodily health. The difference between the sums so paid and the cost of the provisions had they been issued, is estimated in the Department to be about £60,000 a-year, and the money required to be voted by Parliament for provisions is diminished by that amount. Any such payments as I have described are, I believe, unknown in the Merchant Service, and are a free boon to the men of the Navy; the arrangement is voluntarily entered into on their part; and they have no claim to the difference between the actual cost of the articles and their savings prices.

## INLAND REVENUE—COLLECTION OF THE INCOME TAX.

MR. J. G. HUBBARD asked Mr. Chancellor of the Exchequer, Whether, seeing the urgent necessity for an adjustment of the levy and administration of both Local and Imperial Taxes, with a view to their being brought under a common principle of assessment and a more convenient system of collection, he will consider the expediency of effecting the requisite reform of the Income Tax before its administration be removed from the agencies now employed, and its enforcement, with all its inequalities, be more largely confided to Government officials?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): Sir, my promise was given to look carefully into this question. My right hon. Friend has frequently urged a common principle of assessment for Income Tax, under Schedules A and B, and local rates; but he has not as yet secured the approval of Parliament for his plan, and I do not myself see why his advocacy of it should stand in the way of a very necessary reform in the manner of collection under Schedules D and E. I am afraid that I cannot comply with his request.

MR. J. G. HUBBARD gave Notice that, in consequence of the answer of the right hon. Gentleman, he would take an early opportunity of eliciting the opinion of the House on the subject.

## ARMY—UNDRESS UNIFORM OF THE INFANTRY.

SIR HENRY FLETCHER asked the Secretary of State for War, Whether, in consequence of the contemplated change in the undress uniform of the Infantry of the Line, viz. from red to grey, it is intended to carry out the instructions for officers to provide themselves with the badges, forage caps, &c. of the new Territorial Regiments to which they now belong; and, whether any allowance will be made to officers, towards providing these new uniforms, after having already been put to a considerable expense during the last few years by frequent changes of uniform?

THE MARQUESS OF HARTINGTON: Sir, the badges and forage caps of officers will not be affected by the proposed change of uniform; and, therefore, there is no reason for modifying the instructions which have been given. The new undress uniform would be in substitution for the present uniform; and as officers would be allowed time to wear out their present uniforms, the change need not involve any expense to them. The new dress would probably cost less than that now worn, and officers would not have, as at present, to incur the charge for a new outfit when proceeding on active service.

MR. ONSLOW said, he wished to know whether it had been decided to change the colour of the uniform from red to grey?

SIR WALTER B. BARTTELOT asked whether, if any change in the colour of the uniform was made, the noble Marquess would give the House an opportunity of discussing this very serious question? A fit and appropriate opportunity of doing so would arise when the Clothing Vote for the Army was brought forward. Pending the discussion, he trusted the noble Marquess would not give instructions to carry out the alteration.

THE MARQUESS OF HARTINGTON: In reply to the Question of the hon. Member for Guildford (Mr. Onslow), I have to say that I stated, in moving the Army Estimates, that no steps would be taken to carry out the change of uniform, but that there would be an experimental trial as to the change of colour recommended by the Committee. In answer to the hon. and gallant Baronet opposite (Sir Walter B. Barttelot), I admit it is desirable that the House should have an opportunity of discussing the subject, and I think a convenient opportunity will arise when the Clothing Estimate is proposed. No step can possibly be taken before that Vote is agreed to to prevent the House from coming to a conclusion on the matter.

## ARMY—CHELSEA AND KILMAINHAM HOSPITALS—REPORT OF THE COMMITTEE.

Sir HENRY FLETCHER asked the Secretary of State for War, Whether the Committee appointed to inquire into matters connected with the Royal Hospitals of Chelsea and Kilmainham have sent in their Report; and, if so, if it will be laid upon the Table of the House?

The Marquess of HARTINGTON: Sir, I have received the Committee's Report; but I have not yet had time to consider its recommendations and the representations made to me by the Governing Bodies of the various institutions affected. I hope shortly to do so, and then the Report will be presented to Parliament.

## POST OFFICE—RURAL POST OFFICES.

Mr. MACFARLANE asked the Postmaster General, If, when an application is made in a town or village for a post office, it is the practice to require the inhabitants to give a guarantee that the number of letters will cover the cost of the establishment, &c., and, if it is not usual to enforce such a condition with regard to a post office, why it is required in the case of a telegraph office, seeing that the Postal and Telegraph departments yield a large surplus revenue?

Mr. FAWCETT: Sir, the practice of the Department is similar in both the cases to which the hon. Member refers. When the estimated revenue is insufficient, a guarantee is, as a rule, required.

## NAVY—WARRANT OFFICERS.

Sir H. DRUMMOND WOLFF asked the Secretary to the Admiralty, Whether his attention has been called to a Circular issued on behalf of the Warrant Officers of the Navy; and, whether the Admiralty will consider the expediency of remedying the grievances of that class of public servants?

Mr. CAMPBELL-BANNERMAN: Sir, I have seen a copy of the Circular referred to; but I have no means of knowing how far it really represents the views of the warrant officers, as it is published anonymously. The Board of Admiralty have shown, by their recent action regarding what my hon. Friend will know as the "other ships" clause, that they are not indifferent to the claims of this class of public servants; and, while not holding out any expectation of a general increase of pay or retirement, if anything that requires attention is brought before the Board, it shall be carefully considered.

Mr. PULESTON: Do I understand that the question is now before the Board of Admiralty?

Mr. CAMPBELL-BANNERMAN: If anything requiring notice, as I have just said, is brought before the Board of Admiralty, it shall receive consideration.

## MADAGASCAR—THE ENVOYS.

Mr. CROPPER asked the Under Secretary of State for Foreign Affairs, If Her Majesty's Government have held communications with the Envoys from Madagascar since their return from the United States; and, if they have given any information as to their late negotiations with the French Government, and as to the attitude of that Government towards Madagascar?

Sir HARRY VERNEY asked, Whether the noble Lord would lay upon the Table the replies to the "Documents Diplomatiques Affairs de Madagascar 1881, 1883," in the French Yellow Book, which have been sent to the Foreign Office by the Government of Madagascar?

Lord EDMOND FITZMAURICE: Sir, in reply to these Questions, I may state that the Madagascar Envoys, on the 7th of February, handed in to Lord Granville, for his personal information, an annotated copy of the French Yellow Book, together with a few brief notes on those parts of it which related to the recent discussions in Paris. These documents contain a personal defence of the conduct of the Envoys during the negotiations, rather than an answer to the French claims, as to which the Correspondence already laid shows the views of the Hova Government. As these Papers turn entirely upon the negotiations between the French and the Hova Governments, they cannot with propriety be presented to Parliament by Her Majesty's Government.

## LUNATIC ASYLUMS (IRELAND)—POST-MORTEM EXAMINATIONS.

MR. BLAKE asked the Chief Secretary to the Lord Lieutenant of Ireland, If the statement be correct which appeared in the Dublin "Freeman's Journal" of the 11th instant, that:—

> "At a meeting of the governors of the Limerick Lunatic Asylum, a letter was read from the Lord Lieutenant forbidding in all cases post-mortem examinations of lunatic patients, even when ordered by coroners at inquests;"

and, if so, if he will be good enough to state the reason why His Excellency has issued such an order; if similar orders have been addressed to the governors of other district asylums in Ireland; and, if for the future at the Limerick Asylum, and any other asylum to which the foregoing has been issued, no post-mortem examinations can take place, no matter from what cause a lunatic patient may appear to have died, whether from violence or causes other than natural, or how necessary it may be to have such an examination in the opinion of the coroner, the jury, or the relatives of the deceased?

MR. TREVELYAN: Sir, the newspaper paragraph referred to in the Question of my hon. Friend states only a part of the case, and is therefore misleading. What His Excellency has expressed his disapproval of is, not the holding of a *post-mortem* examination, but the conducting of such examination by the resident medical superintendent of the asylum in which the patient lived previous to his death. The ground of the objection is, that it is quite conceivable that a case might arise in which the chief officer of an asylum might be, to some extent, blameable for the death of a patient; and it therefore appears desirable that whenever a *post-mortem* examination is considered necessary, it should be conducted by an independent medical authority.

## POOR LAW (IRELAND)—BELFAST WORKHOUSE.

MR. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to the manner in which the Belfast Workhouse master's books have been kept for some time past; if it is correct that goods have been charged in the provision books as having been supplied to paupers, which were never supplied; is it true that at a meeting of the Belfast Guardians on the 10th of April 1883 the said books were examined by several of the Guardians and found to contain false entries, erasures, and numerous alterations, &c.; did the Local Government Board Inspector examine the books also, and declare publicly before the Board of Guardians on the said date that the master's books were "cooked;" is it true that, in the face of this information, the Guardians made no minute of the facts nor took any action in the matter; and, will he be good enough to say whether or not he will direct further inquiry into these disclosures?

MR. TREVELYAN: Sir, the Local Government Board inform me that they have been in communication with their Inspector at Belfast on this subject, and that he has reported that it is the case that at the meeting of the Belfast Guardians last week, certain irregularities in the master's provision books were observed and commented on, and the Inspector suggested to the Guardians that the manner of keeping the book adopted by that officer called for examination. The Guardians seemed to concur in the necessity of such a course, and the Chairman said the matter would receive attention. No formal resolution, however, on the subject was passed. The Local Government Board, with whom I entirely concur, think it necessary that further inquiry should be made, and will so direct.

## THE IRISH LAND COMMISSION—THE SUB-COMMISSIONERS—LIEUTENANT-COLONEL DAVYS.

MR. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is a fact that one of the Sub-Commissioners under the Land Act is also Lieutenant Colonel of the Longford Militia; if so, whether he will be allowed to continue to hold both offices;

and, what is his alleged qualification for the position of Sub-Commissioner?

Mr. TREVELYAN: Sir, Lieutenant Colonel Davys, recently appointed to be an Assistant Commissioner under the Land Act, is Major and Honorary Lieutenant Colonel of the 6th Battalion Rifle Brigade. He was appointed to be an Assistant Commissioner by the Viceroy, who, after careful inquiry, believed him qualified to discharge the duties of that post. The discharge of those duties will, in the opinion of the Irish Government, prevent his presence with his battalion if called out for training during the period of his appointment as Assistant Commissioner.

Mr. BIGGAR: The right hon. Gentleman said the Lord Lieutenant had satisfied himself that this gentleman was qualified. I would like to know what the qualifications are?

[No reply.]

## NATIONAL EDUCATION (IRELAND)—MODEL SCHOOLS.

Mr. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland Whether it is stated in the Rules and Regulations of the Commissioners of National Education in Ireland that one of the chief objects of model schools is to promote united education; whether there are any model schools in which there is not even one Catholic teacher of the rank of principal or assistant; and, whether he can inform the House as to the number of separate Model School Departments in which there is no Catholic teachers, or none above the rank of pupil teacher or monitor?

Mr. TREVELYAN: Sir, it is the case that one of the chief objects of model schools is to promote united education. There are four such schools in which there is no Catholic teacher of the rank of principal or assistant; but, in three of these, there are Catholic pupil teachers or monitors. There are 28 separate departments of model schools in Ireland in which there is no Catholic teacher above the rank of pupil teacher or monitor; but hon. Members from that country will agree with me that the majority of the children attending most of the model schools are Protestants, and in filling vacancies in the office of teacher in any school, the Commissioners have thought it reasonable and just to appoint persons of the same religion as that of the pupils who constitute the actual attendance at the school. I only make this addition to make the answer more complete.

Mr. ARTHUR O'CONNOR asked, whether that rule had always been observed?

Mr. TREVELYAN, in reply, said, he could not say.

Mr. T. P. O'CONNOR: I would like to know, whether, in most of the towns in which the pupils attending the model schools are Protestant, the vast majority of the children of the locality are not Catholics?

Mr. TREVELYAN: I do not think the hon. Member really requires my answer to that Question.

## ARMY—THE ARMY AND THE MILITIA—NUMBERS.

Colonel MAKINS asked the Secretary of State for War, What was the number of officers and men wanting on the 1st April 1883 to complete the establishment of the Army and the Militia respectively in the United Kingdom?

The Marquess of HARTINGTON: Sir, on the 1st of April the Army at home was 6,256 under its Establishment. A large part of the deficiency in the Army at home is to be accounted for by a cause of which the action has been constant, with the result that the Army is at its lowest numbers about April in each year. The Establishments voted cannot be exceeded, and, therefore, they are only reached just before the departure of the Indian drafts in the winter season, and consequently, after that period, the regiments have to be recruited again by a gradual process up to their full complement. In the Estimates of this year I have arranged to meet this difficulty in a measure. The Militia Force was, on the 1st of April, 22,174 men below its Establishment. Of this number 6,500 belonged to the Irish Militia, for which recruiting has, in recent years, been suspended. As regards this force, the actual numbers have never amounted to the Establishment, which is the extreme limit up to which regiments would be permitted to recruit, and it never can be full, in consequence of the incessant drain upon it caused by recruits passing to the Line.

**Lord EUSTACE CECIL**: Perhaps the noble Marquess will state what the actual number of the Reserve was at that time?

**The Marquess of HARTINGTON**: I am afraid I cannot answer that Question without Notice.

**Sir HENRY FLETCHER**: May I ask whether, in consequence of the great number of men wanting on the Establishment, the noble Marquess will take into consideration the suggestion I made last year, that a certain number of soldiers, on completing their Army engagements—say, up to 25 per cent—shall be allowed to re-engage instead of wandering idly about the country?

**The Marquess of HARTINGTON**: The subject of the deficiency in the Army and the difficulty of recruiting is under consideration, and many suggestions have been made; but I can hardly be expected to enter into the subject on this occasion in reply to a Question.

## GIBRALTAR—RELIGIOUS DISSENSIONS —DR. CANILLA.

**Sir H. DRUMMOND WOLFF** asked the Under Secretary of State for the Colonies, Whether any report has been received from Gibraltar of the continued refusal of the Roman Catholic community of the place to acknowledge Dr. Canilla as Vicar Apostolic, notwithstanding that he was forcibly placed in possession of the temporalities of the Roman Catholic Church by order from Lord Kimberley; whether, in consequence of this refusal, the Roman Catholic community are practically deprived of the religious ministrations of their Church at baptisms, weddings, and funerals; and, whether Her Majesty's Government have taken or will take any steps to restore a more satisfactory state of things among the Roman Catholics at Gibraltar?

**Mr. EVELYN ASHLEY**: Sir, a renewed protest has been received against the appointment to this post of Dr. Canilla, adopted at a meeting held at Gibralter on the 2nd of March. The Papers presented to Parliament last year show that beyond the dispersion of a mob, which unlawfully obstructed Dr. Canilla's installation, the Government did not interfere. The Governor reports that the services are well attended, and civil funerals are diminishing. Beyond preserving the peace, Her Majesty's Government do not consider it their duty to interfere in these affairs of the Roman Catholic community at Gibraltar.

**Sir H. DRUMMOND WOLFF**: The Question is, Whether the Roman Catholic community are not obliged to go out of Gibraltar for the ministrations referred to?

**Mr. EVELYN ASHLEY**: In the form in which the Question is asked, that result is put as an inference, and not as an inquiry as to a fact.

**Sir H. DRUMMOND WOLFF**: Are they not, in consequence of their refusal to accept the services of Dr. Canilla, compelled to go outside for baptisms and weddings?

**Mr. EVELYN ASHLEY**: Yes, a great many do, no doubt; but they go of their own free choice.

## CHANNEL TUNNEL—THE JOINT COMMITTEE.

**Captain AYLMER** asked the President of the Board of Trade, What opportunity, if any, the Joint Committee on the proposed Submarine Railway between England and France will have for considering its effects on our Mercantile Marine; and, seeing that it is not the business of any person or body to bring forward evidence on the subject, he will invite representatives of Chambers of Commerce and of the shipping interests to attend?

**Mr. CHAMBERLAIN**: Sir, the consideration of the subject mentioned in the Question will be entirely within the discretion of the Joint Committee as soon as it is appointed. They will be able to call witnesses on that or any other branch of the matter; and, if any person desires to communicate with them, no doubt he will be able to do so through the Chairman.

## PREVENTION OF CRIME (IRELAND) ACT, 1882, SEC. 16—PRIVATE EXAMINATION OF WITNESSES—UNTRIED PRISONERS.

**Mr. PARNELL** asked the Chief Secretary to the Lord Lieutenant of Ireland, If he will communicate to the House the names of the witnesses for the defence of the prisoner Brady, who were examined by Mr. Curran at the private inquiry held under the provisions of section 16 of the Crimes Act, and the dates of such several examinations; and, whether a prison official was present within hearing at any of the interviews of Brady and his legal adviser; and, if so, whether he can give the dates of such interviews?

Mr. TREVELYAN: Sir, the only witness for the defence who was examined by Mr. Curran at the inquiry held under the Crimes Act was Thomas Little. He was examined on the 5th and 22nd of March; and I am informed, in a letter from Mr. Curran, that the reason he was examined was because persons who are under the suspicion of belonging to a secret society were known to have met frequently at his house, and he was examined because it was thought useful information could be obtained from him. In reply to an hon. Member, I have already stated that it was on the 7th April the names of the witnesses for the defence were communicated to the Crown Solicitor. I am informed that the prison officials were not within hearing at any interviews between the prisoners and their solicitors, and the Governor of Kilmainham Prison informs me that this rule was strictly observed in the case of Brady.

Mr. PARNELL: May I ask the right hon. Gentleman, arising out of the Question to the Chief Secretary, Whether he intends to take a similar course with reference to the prisoners charged with being concerned in the illegal possession of explosives as that adopted by the Chief Secretary to the Lord Lieutenant—that is to say, whether he intends to have the prison officials at interviews between prisoners and their legal advisers out of hearing, although within sight?

Sir WILLIAM HARCOURT: I have given instructions that the persons accused of being in possession of nitroglycerine, and acting in concert with persons outside, shall have no opportunity of making any communication to those persons outside which is not known to the police.

Mr. PARNELL: May I ask the right hon. Gentleman, Whether he proposes to carry out the provisions of the Statute passed by this House in 1877, with regard to the treatment of untried prisoners; whether he will carry out the Rules framed by his Predecessor in the Home Office, which provide that persons who are awaiting trial shall be permitted to have interviews with their legal advisers in the presence, though not in the hearing, of a prison official?

Sir WILLIAM HARCOURT: Sir, if I should find that the Prison Rules, as laid down, are, in my opinion, inconsistent with the public safety, I shall ask the authority of the House to act as the necessity of the case requires.

Mr. PARNELL: That is no reply to my Question, which is a plain one. I must therefore ask the right hon. Gentleman to reply to it—for he has twice evaded doing so—otherwise I shall put it on the Paper. It is, Whether the Prison Rules, made under the authority of the Prison Act of 1877, by his Predecessor in Office, and the Statute which was passed by the last Parliament will be carried out?

Sir WILLIAM HARCOURT: Sir, the answer I have given is, I think, certainly distinct enough. If the hon. Member does not think it so, it is open to him to take any measures he thinks fit to obtain a more explicit answer. My intention is plain, and it is to take those measures which, in my opinion, are necessary for the public safety.

Mr. PARNELL: I shall put the Question to-morrow to the right hon. Gentleman?

## WAYS AND MEANS—THE FINANCIAL PROPOSALS—DUTY ON SILVER PLATE.

Sir JOSEPH PEASE asked Mr. Chancellor of the Exchequer, Whether it is his intention to persevere in his proposal to allow silver goods to be warehoused, so that the payment of Duty might be postponed until sale?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): Sir, in reply to my hon. Friend, I have to say that I proposed the plan of the optional warehousing of silver, in show-rooms under the Queen's lock, with a view to duty being paid when the articles were sold, under the impression that that arrangement would be considered as a boon by the trade, who are subject to unequal treatment compared with other manufacturers of dutiable articles upon which duty is not required until they go into consumption. I find, however, that the plan is not considered a boon; and I have, therefore, no wish to press it further. As regards the repeal of the duty, seeing that it involves a demand on the part of the trade for drawback to an extent which it would be quite out of my power to admit, I have come to the conclusion that it will be to their advantage that I should positively say that I do not propose to touch the duty at all.

### ARMY—VETERINARY DEPARTMENT—RETIRED PAY.

**Colonel O'BEIRNE** asked the Secretary of State for War, Whether it is contemplated, in the forthcoming Warrant, to apply the same principles which regulate the ratio of pay between effective and non-effective pay in other Departments of the Army to the Veterinary Department?

**Sir ARTHUR HAYTER**: No, Sir; it is not proposed to make any change in the retired pay of the Veterinary Department. My hon. and gallant Friend is probably aware that the present rate of retired pay for a veterinary surgeon is one-half the rate of full pay of their rank at retirement after 20 years' service, and seven-tenths of the same after 25 years' service. It is not proposed to disturb these rates at present.

### POST OFFICE SAVINGS BANKS DEPARTMENT—APPOINTMENT OF CONTROLLER.

**Mr. KENNARD** asked the Postmaster General, If he will state the cause of the delay in filling up the vacant Controllership of Savings Banks, and the reason for transferring a clerk from another office to the Department during the late Controller's recent absence from ill-health?

**Mr. FAWCETT**: Sir, in reply to the hon. Member, I may state that during the absence of the late Controller of the Savings Bank from ill-health, I thought the interests of the Service would be promoted by the office being held by Mr. Cardin, who was at the time principal book-keeper in the Receiver and Accountant General's Office. The late Controller, Mr. Ramsay, I regret to say, has recently died, and I have come to the conclusion that it it is desirable that Mr. Cardin should continue in charge of the office. I do not think it would be expedient to come to any decision at present with regard to the arrangements that may be ultimately adopted.

### TREATY OF BERLIN—THE TRIBUTE OF BULGARIA.

**Mr. BOURKE** asked the Under Secretary of State for Foreign Affairs, What progress has been made towards giving effect to the Treaty of Berlin with respect to the annual tribute of Bulgaria, and the portion of the public debt of Turkey assigned to Bulgaria, Montenegro, and Servia; and, what portion of the public debt is to be assigned to Greece?

**Lord EDMOND FITZMAURICE**: Sir, Her Majesty's Government have been in consultation with the other signatory Powers with a view to an early settlement of these questions, which are now being dealt with by the Ambassadors at Constantinople; but no agreement has yet been arrived at. The question will continue to engage the serious attention of Her Majesty's Government.

**Mr. BOURKE** gave Notice that he would call attention to the subject on going into Committee of Supply.

### WAYS AND MEANS—THE FINANCIAL PROPOSALS — THE RAILWAY PASSENGER DUTY.

**Mr. BUXTON** asked Mr. Chancellor of the Exchequer, Whether, in his Railway Passenger Duty Bill, he will propose to grant exemption from Duty to any season tickets where the single fare exceeds one penny a mile; and, when he proposes to introduce this Bill?

**The CHANCELLOR of the EXCHEQUER (Mr. Childers)**: Sir, I stated, in introducing the Budget, that we did not propose to exempt from duty receipts from season tickets based on single fares exceeding 1*d*. a-mile. In urban districts the duty on the receipts from such tickets will be 2 per cent instead of 5 per cent. The Bill will be introduced shortly, but some details are not yet settled with the Board of Trade.

### THE IRISH LAND COMMISSION—APPEALS FROM THE KING'S COUNTY.

**Mr. MOLLOY** asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether certain land cases in the neighbourhood of Roscrea, King's County, which were adjudicated upon by the Land Commission, and appealed against by Lord Ross, the landlord, have been listed for hearing in Mullingar, at a distance of forty miles from the neighbourhood of the tenants; and, whether, considering the poverty of these tenants, he will appeal to the Land Commissioners to change the venue of this appeal to Maryborough, which will be within reach of the tenants, and so enable them to attend the appeals and watch their own interests?

Mr. TREVELYAN: Sir, the Land Commissioners inforn me that there are nine appeals by Lord Ross from the King's County, listed for hearing at Mullingar. They further state that on the application of most of the solicitors engaged in appeals from that county, they have intimidated their readiness to hear such appeals, with the consent of both parties, in Dublin, but they could not make arrangements to hear them at Maryborough.

### PARLIAMENTARY FRANCHISES—FOREIGN COUNTRIES.

Mr. BUXTON asked the Under Secretary of State for Foreign Affairs, Whether he would grant to the House a Return of the different qualifications required for the Parliamentary Franchise at present in force in Foreign Countries, and of the proportion borne by the number of the electorate to the population in such countries?

Lord EDMOND FITZMAURICE: Sir, some information on the point to which my hon. Friend refers is contained in the "Reports on the Practice in certain European Countries in Election Contests," which were laid before Parliament in 1881 and 1882 (C. 2,987, 3,061, 3,159). As, however, it may be desirable that the House should possess the information in a more convenient form, there will be no objection on the part of the Foreign Office to instruct Her Majesty's Representatives abroad to forward special Reports upon the subject.

Mr. BRODRICK asked, whether the noble Lord would also cause Reports to be made of the duration of Parliaments and of the changes of Governments in foreign countries?

Lord EDMOND FITZMAURICE: Sir, that involves a further Question of which I should be glad to have Notice.

Mr. BRODRICK gave Notice, that he would move for a Return giving the desired information.

### INLAND NAVIGATION AND DRAINAGE (IRELAND)—THE UPPER SHANNON.

Mr. O'SHAUGHNESSY asked the Secretary to the Treasury, Whether it is the intention of the Treasury to impose increased tolls on the Upper Shannon Navigation, pending the discussion of the Bill to be brought in on the subject of the transfer of the Navigation; when the last increase of tolls took place; and, whether the Canal Company trading on the Upper Shannon has given notice of withdrawing its traffic on account of a proposed increase of tolls?

Mr. COURTNEY: Sir, there is no intention of raising the scale of tolls at present in force, pending a decision on the question of transfer. The last increase in the tolls was proposed in November, 1881, published in March, 1882, and slightly modified in July last. The Grand Canal Company has threatened to withdraw from the Shannon traffic, but I hope it will not carry out its intention.

Mr. GABBETT asked the Secretary to the Treasury, If he will lay upon the Table any Correspondence which has lately occurred between the Canal Company trading on the Upper Shannon and the Treasury and Board of Works, and between the Chamber of Commerce of Limerick and the same Government Departments?

Mr. COURTNEY: Assuming that the hon. Member refers to the question of the tolls on the River Shannon, I have to say that the correspondence on this subject is still proceeding, and that it would therefore not be to the public advantage that it should be published.

### LAW AND POLICE—SPECIAL PREVENTIVE POLICE.

Mr. STANLEY LEIGHTON asked the Secretary of State for the Home Department, Whether it is proposed to establish a special body of police for the prevention of crime against the public safety; and, if so, whether the cost of its maintenance will be defrayed out of the taxes and not out of the rates?

Sir WILLIAM HARCOURT: No, Sir; there is no such intention.

### METROPOLIS—WATER SUPPLY.

Mr. FIRTH asked the President of the Local Government Board, Whether his attention has been drawn to the fact that every month reports of London analysts, on the character of London water, purporting to be addressed to him, are widely circulated, although, as stated last year in the House, they are neither authorised nor paid for by the Local Government Board, but are authorised and paid for by the London Water Companies; and, whether, as such a form of report is calculated to mislead the public, and to give an appearance of official authenticity which is not consistent with fact, he will either decline to receive any more of such reports, or require their form to be modified?

**Sir CHARLES W. DILKE**: Sir, as was stated last year by my right hon. Friend, these Reports are not made under the authority of the Local Government Board. It must, therefore, be presumed they are made on behalf of, and at the expense of, the Water Companies. I agree with my hon. Friend in thinking that such Reports, purporting to be addressed to the President of the Local Government Board, are misleading, and I should expect that after this expression of opinion they would be discontinued.

### PARLIAMENTARY OATH (MR. BRADLAUGH).

**Sir H. DRUMMOND WOLFF** asked the First Lord of the Treasury, Whether, before the Cabinet decided on proposing to this House the Resolution of the 1st of July, 1880, the Law Officers and the Lord Chancellor had considered the accuracy of the opinion subsequently expressed by the Solicitor General during the Debate, to the following effect:—

> "A doubt has been suggested whether a Court of Law could decide this question. He was unable to understand how such a doubt existed. He asserted, with the utmost confidence, that if Mr. Bradlaugh were sued for penalties, no Resolution of the House could for a moment stand in the way of these proceedings. It was said, 'once get Mr. Bradlaugh into the House, and no one will sue him for penalties.' Those who said so must have very little confidence in their view of the Law. Did they really believe that no one would speculate upon their Law with £500 as a prize;"

or, whether it was decided that the Attorney General alone could sue for penalties; whether, if any doubt existed on the subject, the Attorney General was instructed or not by the Cabinet to institute proceedings himself; and, further, if it is usual for a Judge to sit judicially upon a question upon which he has advised as a Minister?

**Mr. GLADSTONE**: This Question divides itself into several parts, and I will give the answer to these parts in succession and briefly. In the first place, neither the Cabinet, nor the Lord Chancellor, nor the Law Officers, before proposing the Standing Order of July 1st, 1880, considered it any part of their duty to examine the subject in respect to what would follow from a breach of the law, or attempted breach of the law. In the second place, in regard to the opinion subsequently expressed by my hon. and learned Friend the Solicitor General, that opinion was not the result of any formal reference to the Law Officers of the Crown; and he only gave expression to the opinion that an informer could sue, which was very widely prevalent in the Profession, and was subsequently confirmed by the judgment of two Courts of Law, although reversed by the House of Lords. In the next place, there was no instruction to the Attorney General to institute proceedings against Mr. Bradlaugh; nor, in truth, was there any opportunity for that question to be considered, because immediately after the voting—absolutely within an hour or two hours of the voting of the hon. Member—proceedings were taken by a private person. With regard to the last part of the Question, it is not usual for a Judge to sit judicially upon a question on which he had given his advice as a Minister, nor has it occurred in the present instance at all, because the Lord Chancellor has never given us advice on the matter, inasmuch as the matter had not been taken into consideration by the Cabinet or the Lord Chancellor beforehand.

**Sir H. DRUMMOND WOLFF** asked, if they were to understand that the Motion made by the right hon. Gentleman in proposing the Standing Order on the 1st of July, 1880, was made by him to the House without having been previously submitted to the Cabinet?

**Mr. GLADSTONE**: Sir, the question which I said was not considered in anticipation by the Cabinet was, whether, if any presumptive cause for proceedings at law should arise, the state of the law was to be presumed this way or that, or proceedings were to be taken by the Cabinet?

MR. NEWDEGATE asked the Prime Minister, whether, in consequence of the decision of the House of Lords in the case of "Bradlaugh *v.* Clarke," he correctly understood the right hon. Gentleman, on the previous Thursday, to state that it was not his intention to direct the Attorney General to institute proceedings against Mr. Bradlaugh for having sat and having voted in the House on the 22nd of February, 1882, or on any other occasion?

MR. GLADSTONE: I would rather not be understood to be bound by the date quoted by the hon. Gentleman, because my impression is that that is not the exact date.

MR. NEWDEGATE: If the right hon. Gentleman will refer to *Hansard*, he will find that the Speaker called the attention of the House to the fact that the hon. Member was sitting in the House, after he had been ordered to withdraw on the 7th of February; and he will also find appended to the Division List a note to the effect that the Speaker called the attention of the House to the fact that Mr. Bradlaugh had voted, but no proceedings were taken by the House thereon.

MR. GLADSTONE: The Question now put by the hon. Member for North Warwickshire refers to a different matter from the Question of the hon. Member for Portsmouth (Sir H. Drummond Wolff); and I had better, to avoid the risk of misunderstanding, ask him to put it on the Paper.

SIR WILLIAM HART DYKE: I wish to ask whether the present Lord Chancellor, when Attorney General in 1866, at the time the Parliamentary Oaths Bill was brought forward by the then Government, did not inform the House that henceforward action under that Bill could only be taken by the Attorney General; and whether, as a Member of the Cabinet, he was not responsible for the Resolution of July 1st, 1880, and for the reason then given by the Solicitor General, on behalf of the Government, for the adoption of the said Resolution?

MR. GLADSTONE: There can be no doubt that my noble Friend is responsible with us for that proposal made for the Government in 1880; but with regard to the declaration made by him in 1866, as I have not the matter fresh in my mind, perhaps it would be better that that Question should also be put on the Notice Paper.

LORD RANDOLPH CHURCHILL: Are we to understand that when the Government pressed the House to pass a Resolution which invited Mr. Bradlaugh to affirm, they had not considered, by seeking the advice either of the Lord Chancellor, or of the Law Officers of the Crown, whether, if Mr. Bradlaugh complied with the Resolution, he would not render himself liable to an action brought against him by the Attorney General under the Statute?

MR. GLADSTONE: As the Question relates to a matter of law, it would be better that Notice of it should be given.

SIR H. DRUMMOND WOLFF: I wish to ask whether the Government repudiate the plea on which the House was invited to pass the Resolution of the Solicitor General?

MR. GLADSTONE: I may now say that I cannot answer the Question without taking exception to its terms, because they do not represent the issue before the House at the time.

SIR H. DRUMMOND WOLFF: I will repeat the Question to-morrow.

## AFGHANISTAN—SIR LEPEL GRIFFIN'S "LIBERAL POLICY IN AFGHANISTAN."

MR. DIXON-HARTLAND asked the First Lord of the Treasury, Whether his attention has been called to a letter addressed to the "Times" of the 6th April by Sir Lepel Griffin, entitled "Liberal Policy in Afghanistan," and which contains the following paragraph:—

> "Our obvious interests demand the early construction of a broad gauge railway to Quetta, and the enlargement and strengthening of that important position, so as to enable it to command Candahar and the surrounding districts. The Ameer whom we placed on the throne in August 1880 is no more friendly than his predecessors were, and Russian intrigue is as unceasing and audacious to-day in Afghanistan as it was in the days of Shere Ali;"

and, whether Her Majesty's Government propose taking any, and, if so, what steps to carry out the measure so strongly recommended as absolutely necessary by a gentleman who describes himself as—

> "The person chiefly concerned with the political arrangements in that country, under both the late and present Administrations?"

MR. GLADSTONE: In answer to the hon. Gentleman, I have to say that Her

Majesty's Government do not in any manner adopt the statement in the passage quoted by the hon. Member, and have not arrived at any decision to extend the railway in question.

### SPAIN — EXPULSION OF CERTAIN CUBAN REFUGEES FROM GIBRALTAR —THE DEBATE.

Sir R. ASSHETON CROSS asked the First Lord of the Treasury, On what day he can give facilities for discussing the question of the release of the Cuban refugees?

Mr. GLADSTONE, in reply, said, that, looking to the limited fund of time at the disposal of the Government, he must make the best arrangements he could; and he did not conceive the subject to be one so urgent as to lead him to put aside any of the Business that stood more immediately for consideration. He should be happy, however, to communicate with the right hon. Gentleman, because, although he could not see his way to an immediate discussion, he should be very sorry indeed to contemplate any unreasonable delay.

### PARLIAMENT—PUBLIC BUSINESS— THE TRANSVAAL DEBATE.

Sir STAFFORD NORTHCOTE asked the Prime Minister whether he could name any day for the resumption of the debate on the Transvaal?

Mr. GLADSTONE, in reply, said, that he was not in a position as yet to deal with this subject at all, because, as he had before stated, until the issue was simplified, the matter did not come before them in such a state as that they could have a reasonable expectation of getting through it. He had been in the hope of hearing that some change would take place with regard to the issue to be presented to the House, for a series of issues such as stood on the Paper they were not prepared to deal with by making an arrangement that would interfere with the progress of Government Business. He made that a condition and preliminary to giving a definite answer to the right hon. Gentleman's inquiry. With regard to the Business to-night, the House would understand that they would first proceed with the consideration of the Queen's Message with respect to Lord Alcester and Lord Wolseley, upon which he did not believe that there would be any lengthened discussion. When he proposed the second reading of the Bill on the subject, which he would do on Thursday, then his hon. Friend the Member for Northampton (Mr. Labouchere) would have an opportunity of raising any question he might think proper. After the Queen's Message had been disposed of they would go on with the proposal to refer the Criminal Code Bill to the Standing Committee, and would then proceed with the Patents for Inventions Bill. On Thursday, after the Business already mentioned was disposed of, the Chancellor of the Exchequer's Tax Bill would be taken. As to the second reading of the Affirmation Bill, they wished to propose that that should be taken on that day week.

### AUSTRALIAN COLONIES—OCCUPATION OF NEW GUINEA BY QUEENSLAND.

Sir JOHN HAY begged to ask the Under Secretary of State for the Colonies, Whether there was any truth in the report that Her Majesty's Dominions had been extended by the occupation of New Guinea by the Queensland Government?

Mr. EVELYN ASHLEY: Sir, all the information Her Majesty's Government have was received to-day, in reply to a telegram sent on Saturday to the Governor of Queensland, in consequence of the report which appeared in the newspapers. The Governor telegraphed as follows:—

> "To prevent Foreign Powers from taking possession of New Guinea, the Queensland Government, through the police magistrate of Thursday Island, took formal possession in Her Majesty's name on the 4th instant, pending the decision of the Government on my despatch just gone this mail."

Sir GEORGE CAMPBELL asked whether the action of the Queensland Government in taking possession of New Zealand —[*Laughter*]— he meant New Guinea, was the action of Her Majesty's Governor of Queensland; and, if so, whether that action of the Governor was authorized or sanctioned by Her Majesty's Government?

Mr. EVELYN ASHLEY: The Question answers itself. I have given the House the whole information we possess.

## POST OFFICE (CONTRACTS)—THE IRISH MAIL SERVICE.

Dr. LYONS begged to ask Mr. Chancellor of the Exchequer, Whether the Government have arrived at any decision with regard to the Irish Mail Contract?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): Sir, in reply to my hon. Friend, I have to say that we have decided not to propose to Parliament the confirmation of the Contract for the conveyance of the Dublin Mail made with the London and North-Western Railway Company. Before arriving at that decision we communicated with the Board of Directors of that Company, who, when informed of our reasons for not thinking that the Contract should be confirmed, at once stated that they had no wish that the House of Commons should be asked to ratify it. Indeed, nothing could be more straightforward and honourable than the conduct of the London and North-Western Railway Company throughout the negotiations with them. Without going into details, I may say that the reason which has mainly actuated us in arriving at this decision is the importance of making provision in the Contract for the accommodation of passengers, as provided in the Treasury Minute of 1855. We shall, therefore, at once call for fresh tenders for a service providing satisfactory passenger accommodation as well as the most efficient postal arrangements.

## PARLIAMENT — PALACE OF WESTMINSTER—THE STATUES IN WESTMINSTER HALL.

Mr. BROMLEY DAVENPORT gave Notice that he would, on Thursday, ask the First Commissioner of Works, whether he did not consider that Westminster Hall would be much improved by the removal of the statues now standing there on wooden pedestals?

## WAYS AND MEANS—THE FINANCIAL PROPOSALS—GUN LICENCES—DUTY ON SILVER PLATE.

In reply to Mr. Monk,

The CHANCELLOR of the EXCHEQUER (Mr. Childers) said, that he expected the Customs and Inland Revenue Bill would be circulated to-morrow. It would provide that the gun licences in force up to April should continue in force up to July, after which the new gun licences would be issued in the form prescribed.

Sir STAFFORD NORTHCOTE asked whether they were to understand that the Customs and Inland Revenue Bill would contain no alteration of the silver plate duty?

The CHANCELLOR of the EXCHEQUER (Mr. Childers), in reply, said, that he had already stated that it would not.

In reply to Mr. W. H. Smith,

The CHANCELLOR of the EXCHEQUER (Mr. Childers) said, that there was no intention of interfering with the duty at all. In fact, he had not proposed to interfere with the duty, except to allow its payment to be postponed until the articles went into consumption.

Mr. W. H. SMITH subsequently asked if it was to be distinctly understood that it was not the intention of the Government, either now or at a future time, to propose to repeal the duty?

The CHANCELLOR of the EXCHEQUER (Mr. Childers), in reply, said, he could not speak for the future. But, as he had already said, there was no present intention to interfere with the duty at all.

## AFGHANISTAN—SIR LEPEL GRIFFIN.

Mr. ONSLOW said, it had been laid down by Sir Lepel Griffin that the Ameer, whom we placed on the Throne of Afghanistan in August, 1880, was no more friendly than his Predecessors, and that Russian intrigue was as unceasing and audacious to-day in Afghanistan as it was in the days of Shere Ali. Could the right hon. Gentleman the Prime Minister confirm that statement?

Mr. GLADSTONE: I have already stated very succinctly that Her Majesty's Government do not adopt the view of Sir Lepel Griffin.

## PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.

In answer to Mr. Lewis,

Mr. GLADSTONE said, that he was not in a position to state when the Bill would be read a second time; but due Notice would be given.

## ORDERS OF THE DAY.

## LORDS ALCESTER AND WOLSELEY—MESSAGES FROM THE QUEEN.

### COMMITTEE.

BARON ALCESTER, Message from Her Majesty [13th April],—*considered* in Committee.

(In the Committee.)

Message from Her Majesty read.

MR. GLADSTONE: Sir Arthur Otway—In rising, according to Notice, to move a Resolution upon this subject, I may say that, if the Resolution is agreed to by the Committee, I shall have to propose a corresponding Resolution with regard to Lord Wolseley. This Motion can hardly be termed a mere matter of form; but, at the same time, I may say that the period is so recent when I had the honour of asking the House of Commons to pass a Vote of Thanks to Lord Alcester, and the reasons for that request were then so fully stated by me, and heard with so much patience by the House, that I think I can assume that what I then said is still within the recollection of the Committee; and, at all events, that there still remains in the minds of the Members of the Committee a sufficient recollection of what I stated as to the ground upon which this proposal is made to justify me in asking them, without further preface, to take the first step towards the introduction of the Bill which will be brought in. Any question that may arise with respect to the correspondence of the Bill with the precedents applicable to the case I think I may postpone until a future stage, when it will be my duty to enter upon the merits of the Bill upon any Notice that may call it in question. I shall, therefore, content myself, in substance, with this reference to what happened upon a former occasion, and I now place the Resolution in the hands of the Committee.

Motion made, and Question proposed,

"That the annual sum of Two Thousand Pounds be granted to Her Majesty out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to be settled upon Admiral Frederick Beauchamp Paget, Lord Alcester, and the next surviving Heir Male of his body, for the term of their natural lives."—(*Mr. Gladstone.*)

MR. LABOUCHERE: The right hon. Gentleman has said that this is only a mere matter of form; and I understand the right hon. Gentleman to say, further, that it is desirable the discussion and the vote on the question should be taken upon the second reading of the Bill rather than upon this stage. Of course, that being so, we shall all be anxious to comply with the wishes of the right hon. Gentleman; but I wish it to be understood that, in abstaining from discussing the matter on the present occasion, we are in no way prejudicing our case, nor must it be implied that we consent to the principle of the right hon. Gentleman's proposal.

MR. GLADSTONE: That is so; and the Committee is in no way committed by entertaining this preliminary proceeding. When I said it was a matter of mere form, I merely intended to excuse myself from repeating on this occasion the statement which I made some time ago.

SIR STAFFORD NORTHCOTE: I only wish to say that I fully understood the spirit in which the proposal was made; and, of course, it was only in consequence of the proposal being made in that form that I did not take upon myself the duty of seconding the Resolution.

Question put, and *agreed to.*

*Resolved, Nemine Contradicente,* That the annual sum of Two Thousand Pounds be granted to Her Majesty out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to be settled upon Admiral Frederick Beauchamp Paget, Lord Alcester, and the next surviving Heir Male of his body, for the term of their natural lives.

Resolution to be reported *To-morrow.*

BARON WOLSELEY OF CAIRO, Message from Her Majesty [April 13th],—*considered* in Committee.

(In the Committee.)

Message from Her Majesty read.

MR. GLADSTONE: I beg to move a corresponding Resolution with regard to Lord Wolseley. This proceeding is, like the last one, in most exact conformity with what we can find to have been the form of proceeding in analogous cases. Therefore, as my statement in reference to the services of Lord Wolseley upon a recent occasion was still more full than my statement in regard to the services of Lord Alcester, I may dispense, I think, with troubling the Committee with any further statement at the present moment.

Motion made, and Question proposed,

"That the annual sum of Two Thousand Pounds be granted to Her Majesty out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to be settled upon General Garnet Joseph, Lord Wolseley, and the next surviving Heir Male of his body, for the term of their natural lives."—(*Mr. Gladstone.*)

MR. LEWIS: I quite understand that the general feeling of the Committee is, that no discussion should take place today on this Resolution, as none took place on the preceding one; but, for my own part, I have been particularly struck with the dilemma in which the Committee and the country are placed—namely, that supposing we heap honours on men who have had to do nothing, or practically nothing, what are we to hold in reserve for those officers who may be called upon to uphold and defend the honour of the country in some real engagement? I do not hesitate to say that I look upon this Vote and upon these proceedings as part of the new "Jingo" policy which Her Majesty's Government have lately adopted for their own glorification and the amusement of the British public. I do not forget the mean way in which Sir Frederick Roberts was treated. I do not forget the mean way in which Sir Frederick Roberts, who was a General who not only distinguished himself, but cut his way through a piece of work beside which Lord Wolseley's operations appear to sink into insignificance. I do not forget what Her Majesty's Government did with regard to Sir Frederick Roberts; and I want to know, if these honours and these emoluments are to be hung around the necks of such men as Lord Wolseley and Lord Alcester, what are to be conferred upon men who perform deeds like those which, in times past, reflected glory upon our Army and Navy? The matter requires, not only at the hands of the independent Liberal Party, but at the hands of the Conservative Party, a little more investigation than it seems to have received hitherto. What has been the meaning of all the theatrical display which the country has witnessed since last September or October? Does any man think that it was for the real glorification or elevation of England in a military or moral sense? I would venture to suggest that what happened in the Park and in the public streets with regard to the parade of the Indian Contingent was as much connected with the glorification of Her Majesty's Government as the glorification of England; and I would not, on this occasion, have ventured to say one word, if I had not noticed that the extreme calmness of the Liberal Party is somowhat remarkable. We have recently had an explosion from that side of the House on the subject of economy; but it did not last very long, for hon. Members opposite were satisfied with the pat on the back they received from the Prime Minister. On this occasion they seem inclined to sit quiet, or, at all events, to postpone their opposition. I think we have a great question to discuss with Her Majesty's Government in regard to this Vote. They thought it right and necessary, with reference to the policy of their Predecessors, to proclaim that right hon. Gentlemen on this side of the House were always wrong, and that the new policy they intended to substitute was always to be right. Yet they have imitated the policy of their Predecessors in various particulars, and they desire to imitate it now, in heaping Peerages upon Peerages and pensions upon pensions, notwithstanding the fact that their most recent ally is one of the most distinguished opponents of pensions in any form extending beyond the present possessor. If it is desired to defer the discussion until Thursday, I trust that, on that day, the House will be put in possession of some of the principles upon which Her Majesty's Government are at present guided; and I venture to hope that a large contingent from these Benches will join hon. Gentlemen on the other side in endeavouring to find out what honours this country will have in reserve for its distinguished Generals and Admirals who may have to fight the enemy in the open, and to perform deeds similar to those which have rendered our country famous in the annals of the world.

MR. RYLANDS: I do not rise for the purpose of continuing this debate, but merely to say that the reason why none of my hon. Friends think it necessary to discuss the question at the present moment is, that the postponement of the discussion is demanded on the ground of public convenience, and the Prime Minister has already promised that there shall be a full discussion on the measure. We therefore think that the proper opportunity for discussing it will be when the Bill has been brought in, and it is proposed to read it a second time. I understand that it will then be placed as the first Order of the Day; and we propose to reserve, until that time, an expression of the views which we entertain in regard to the present proposal, it being distinctly understood that the fact of our allowing the present Motion to pass without comment will, in no way, prejudice our future action.

Mr. GLADSTONE: It is perfectly plain that the hon. Gentleman opposite (Mr. Lewis), when he rose from his seat, had no intention of making the speech which he has delivered, because he said he approved of the arrangement under which all opinions were to be reserved; but the torrent within him could not be pent up, and it burst forth in spite of his better judgment. I do not wish to travel over the ground which the hon. Gentleman has traversed on this occasion; but I may make this observation—that if Her Majesty's Government behaved so meanly towards Sir Frederick Roberts, admitting for the moment that they did so, which, however, I do not at all admit—but assuming, for the sake of argument, that they did so, surely the fact ought to put us on our guard against a repetition of similar meanness now. I certainly cannot see how that argument supports the contention of the hon. Member. The hon. Member is perfectly entitled, if he likes, to make our proposals the occasion of any accusation against the Government, and, of course, we shall be prepared, at the proper time, to defend ourselves; but I should not be justified, after having obtained from the kindness of other hon. Gentlemen on both sides of the House the reservation which they have been content to make—I should not be justified in entering upon the matter of the speech of the hon. Member, and I only wish it to be known that our silence in reference to it must not be supposed to imply agreement with any part of it.

Question put and *agreed to.*

*Resolved, Nemine Contradicente,* That the annual sum of Two Thousand Pounds be granted to Her Majesty out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to be settled upon General Garnet Joseph, Lord Wolseley, and the next surviving Heir Male of his body, for the term of their natural lives.

Resolution to be reported *To-morrow.*

## CRIMINAL CODE (INDICTABLE OFFENCES PROCEDURE) BILL.—[Bill 8.]

(*Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland.*)

### ADJOURNED DEBATE ON MOTION FOR COMMITMENT.

Order read, for resuming Adjourned Debate on Question [12th April], "That the Bill be committed to the Standing Committee on Law, and Courts of Justice, and Legal Procedure."—(*Mr. Attorney General.*)

Question again proposed.

Debate *resumed.*

Mr. T. P. O'CONNOR said, that it appeared hardly respectful to the House or to the Bill that no Law Officer of the Crown was present on the resumption of the debate, the Government being solely represented by the Postmaster General and the Judge Advocate General, who had nothing to do with the question before the House. He would remind the House that this was not one of the Bills which it was intended to refer to Grand Committees when these Committees were instituted. The measure proposed to revolutionize the whole criminal procedure of the country; and, therefore, it ought to be discussed by the whole House, and not by a mere section of it. He had heard the speech in which the Prime Minister laid his proposals on the subject before the House, and he distinctly stated that the Bills to be brought before those Committees were to be Bills of an exceptional character, or Local Bills, and Bills of a non-partizan character; and he further stipulated that, with regard to all Bills referred to those Committees, the right of full discussion by the House should be preserved. Now, he asked the House whether a Bill which was of a partizan character and made an entire revolution in the criminal procedure of the country was a Bill fairly coming within the conditions he had adverted to? It was not a general, but a sectional, Bill, and it was not a Local Bill, but an Imperial one. It was not of a non-partizan character, for almost every one of its clauses raised considerations that embittered and envenomed party differences in that House. The Prime Minister declared that the establishment of these Committees was not intended to destroy the responsibility of the House. That the House was losing its responsibility was pretty clear from the thinness of the House during the discussion of the Bill. This Bill was obviously partizan in its character, and would be administered with that view in Ireland. The right hon. Gentleman further stated that the Bills to be referred to the Grand Committees should be Bills that concerned only sections of the House, and not the whole body of Members. That, again, was a condition which the Attorney General's Motion did not comply with, as this Bill directly concerned public rights.

Mr. SPEAKER: The hon. Member is discussing the Bill. He cannot discuss the merits of the Bill on the Motion before the House.

Mr. T. P. O'CONNOR said, he wanted to prove the partizan character of the Bill, to show that it was not one of the class mentioned by the Prime Minister to be referred to Committees. They were left absolutely without information as to the grounds upon which the Bill was to be referred to a Grand Committee. The Bill had been recommended to the House by one speech only from the Treasury Bench, that of the Attorney General, which did not exceed 20 minutes in duration. It was said that the Bill was practically identical with that which had been introduced during the late Parliament. But that was not so, as the latter abolished all the Whiteboy offences of former Statutes, which were left untouched by the present Bill.

Mr. SPEAKER: The hon. Member is discussing the Bill on its merits. He is out of Order in doing so.

Mr. T. P. O'CONNOR said, it was almost impossible to discuss the Motion without referring to the Bill. He regretted the indifference the House was beginning to show in regard to its gravest responsibilities since the establishment of these Grand Committees, and the disposition manifested to delegate its duties to those Bodies. He further objected that rights of discussion would not be preserved if the Motion of the Attorney General were adopted. The control which the House had over its legislation should not be given up lightly and without full consideration; and he could only characterize the Motion as an audacious attempt on the part of the Government to carry through before a Grand Committee a measure whose nature required that it should be reserved for the whole House. He begged to move the Amendment of which he had given Notice.

Sir JOSEPH M'KENNA said, the Bill was a very comprehensive one, and when the Bill of last Session was introduced, it was promised that there should be an opportunity for the House to discuss every clause and word in it. It was true that even on important subjects there was frequently a very small attendance in Committees of the Whole House; but the discussion might, at any time, be put an end to if fewer than 40 Members were present. That was a great safeguard. But the most important principles might be settled in Grand Committee by a quorum of 20 Members. He was far from saying the Bill was a bad one; but it was a Bill of a character which made it dangerous that the ordinary safeguards with which discussion in Committee of the Whole House surrounded public rights should be taken away, as they would be if it was withdrawn from the consideration of the Whole House. He begged to second the Amendment of the hon. Member for Galway.

Amendment proposed, to leave out from the word "committed" to the end of the Question, in order to add the words "a Committee of the whole House."—(*Mr. T. P. O'Connor.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. JUSTIN M'CARTHY said, he presumed that they were at a stage of the Bill corresponding to the Motion, "That Mr. Speaker do now leave the Chair." If he was wrong, then one opportunity for discussion had been lost. He feared that the reference of Bills to the Grand Committees would deprive the House of much of its power in respect to measures that had passed the second reading. He was inclined to think that the Bill might be rejected at the present stage under the Rules of the House. The Grand Committee system, he thought, was admirable in the case of important measures full of detail, and upon the general purposes of which the House was agreed; but this Bill was certainly not of such a character that it could be safely left in the hands of a Grand Committee. They could all recollect what important Amendments had, within recent experience, been introduced into the Prisons Bill and the Army Discipline legislation in Committee of the Whole House. Now, a Grand Committee was wholly unsuited for, and incapable of, any operation of that kind. As a measure was sent up to such a Committee so must it come down, except in regard to the smaller and more minute details. ["No!"] The other night, when they were about to discuss this measure, they were told every moment that the principle of the Bill was settled, and that they could not discuss details on the second reading. But some of these so-called details were most important innovations, making a wholesale and momentous change in the legislation of this country. There were four of these so-called details to which he invited special attention. He thought the powers given to the Justices to examine anyone they thought could give evidence, and to commit from week to week, was a most important innovation in the Criminal Law of this country, and one which ought to be discussed fully in Committee of the Whole House.

Mr. SPEAKER said, he had already ruled that he could not allow discussion on the details of the measure. The Question before the House was merely a sequel to the second reading; and at this stage the House never allowed any general discussion on the merits of the Bill.

Mr. JUSTIN M'CARTHY said, he was endeavouring to assign reasons why the Bill should be considered by a Committee of the Whole House instead of being relegated to a Standing Committee. He would, however, only refer in general terms to the fact that certain portions of this Bill could not be adequately discussed in a Standing Committee.

Mr. DALY entered his protest against the Bill going to the Grand Committee, on the ground that the objections entertained against the Irish clauses would not receive adequate consideration there. There were only five Irish Members on the Committee, and these could not state all the objections to the Bill which, as had been pointed out, contained many objectionable clauses. Public opinion would be better represented if the clauses to which objection was taken were allowed to be discussed in that House. With regard to the powers given to Justices of the Peace——

Mr. SPEAKER: I must again remind hon. Members that the merits of the Bill cannot be discussed upon the Motion before the House.

Mr. LEAMY said, the ruling of Mr. Speaker amply justified the opposition offered by Irish Members to the second reading. The Bill would effect alterations which did not come within the definition of procedure at all, but which would revolutionize the law to a considerable extent. They had not been allowed to discuss the Bill on the second reading at any length, and how it was to go to a Grand Committee. He supposed that they must draw consolation from the fact that the Bill would again come down to the House, and that the right hon. Gentleman would, perhaps, find on the Report stage that he had not gained so much as he thought he would by referring the measure to a Standing Committee instead of to a Committee of the Whole House.

Mr. CALLAN said, he did not entertain the same objections to this Bill as some of his hon. Friends. It was introduced first in 1879, on the recommendation of three eminent Judges, one of them being an Irish Judge in whom the people had more than usual confidence. He thought that time would be saved if the Bill was not referred to a Grand Committee; and, if it was discussed in the House itself, that would afford a welcome excuse for postponing the Affirmation Bill. On the Grand Committee, there was only one practising barrister representing a Home Rule constituency. Unless the constitution of the Committee were changed, its proceeding could not give satisfaction to the Irish Members. It embraced 14 Whig lawyers, and the hon. and learned Member for Roscommon (Dr. Commins) was the only practising barrister upon the Committee from the Home Rule Benches. The other Irish Members upon the Committee were a gallant Colonel of Artillery, a country Gentleman fond of following the hounds, and a literary Gentleman. If the Bill were referred to the Grand Committee, Irish Members would have to discuss it at great length on Report.

MR. SEXTON said, he protested against the Bill being taken away from discussion at the hands of Irish Members. They had been precluded on the second reading from discussing the clauses, and now they were told they could not discuss them on the Motion to refer the Bill to the Standing Committee; and, moreover, the Government had not replied to the criticisms which had been passed on the Bill. The Bill did not come within the description of those which the Prime Minister said were to be referred to Grand Committees, and it would be a breach of faith so to refer it. Only five Members of his Party were included in the 79 Members, and only one of the five was a lawyer. It was a penal measure, and Irishmen were specially affected by penal measures. The discussions of the Grand Committees would become practically mechanical, because they were shut in from the public Press. ["No, no!"] He thought they were. Their proceedings were practically conducted in the dark, and nothing was laid before the House to enable them to form an adequate judgment of those proceedings, the Minutes and Reports being useless to those specially interested in the subjects under discussion. He again protested against the Motion to refer the Bill to the Grand Committee; and in the Committee he should take the opportunity of raising several points which he, nevertheless, thought ought to be decided by the House itself.

MR. T. C. THOMPSON said, there were several provisions of the Bill that were so dangerous and so new that they required the assent of all the Members of the House; and, unless they had some assurance that the Bill would come before them in such a way that these points could be discussed, he should oppose the reference to a Grand Committee.

THE ATTORNEY GENERAL (Sir HENRY JAMES) reminded the House that the proposal to refer the Bill to a Standing Committee could not have been unexpected. The Grand Committees were called into existence for the very purpose of dealing with such Bills as the one before the House; and he failed to see how the Bill could be properly dealt with in any other way, as it would be an almost impossible task to amend it in Committee of the Whole House without the aid of a Parliamentary draftsman. There would be an opportunity of discussing the Bill upon Report; but he was sure, notwithstanding what had been said in the course of that discussion, that there would be nothing more than fair discussion when the Bill came back from the Standing Committee. Hon. Members, having made their protest, could not expect the Government to act in the face of the statement of the Prime Minister in the Autumn Session that this was one of the Bills which would go before the Standing Committee. He would do his best to see that there was no undue haste; and he was sure that the Standing Committee would be a more satisfactory tribunal to protect the interests of the public, and reduce the Bill to a proper form, than a Committee of the Whole House. With reference to the remark of the hon. Member for Sligo (Mr. Sexton), that he should criticize the Bill clause by clause, he did not receive that statement with alarm. On the contrary, he looked forward to some alteration being made by the Committee; and he had no doubt the hon. Member would contribute materially to the improvement of the Bill. He trusted, therefore, that the House would allow the Bill to be referred to the Grand Committee.

MR. ONSLOW said, if the hon. Member for Galway (Mr. T. P. O'Connor) went to a division, he should certainly support his Amendment. He did not think the Grand Committees would be of much service, and the House would never know their reasons for accepting or rejecting Amendments. A Bill such as that before the House was essentially one for a Committee of the Whole House to consider.

MR. T. D. SULLIVAN said, he should support the Amendment, on the ground that a Bill which touched the liberty of the subject in several new ways ought to be dealt with by the Whole House. It was a Bill more for laymen than lawyers to deal with; and, therefore, laymen should have a full opportunity of discussing it. The measure was no mere codification of the existing law, but contained novel and objectionable principles, that ought not to be lightly sanctioned.

SIR WALTER B. BARTTELOT observed, that the House would in future be very loth to send Bills to Grand

Committees if it thereby lost an opportunity of discussing them. He rose because he understood Mr. Speaker to rule that any Bill which was referred by the Government to a Grand Committee could not be discussed again on its clauses. He wished to know at what stage the House would have an opportunity of again discussing the Bill?

Mr. SPEAKER said, that when a Bill had been read a second time altogether without reference to the New Rules, the Speaker invited the hon. Member in charge of the Bill to say whether he proposed to refer it to a Committee of the Whole House or to a Select Committee; and upon that question, as upon the present question, no debate upon the merits of the Bill had ever been allowed.

Sir WALTER B. BARTTELOT said, this was a new departure, and he thought the House would be very loth to part with any of its privileges. He wished to ask whether the House was not to have an opportunity of reviewing the proceedings in the Grand Committee on the Report?

Lord RANDOLPH CHURCHILL asked whether he was right in supposing that, when a proposal was made to refer a Bill to a Grand Committee, it was competent for the opponents of the measure to discuss its principle in order to show that its very nature made it expedient to deal with the Bill in Committee of the Whole House?

Mr. SPEAKER presumed that, at the period contemplated by the noble Lord, the principle of the Bill had already been discussed on the Motion for the second reading. It would, therefore, be irregular to renew that discussion on the Motion to refer the Bill to a Standing Committee.

Mr. BIGGAR asked whether the Amendment did not authorize the Mover of it to raise the question whether this was a suitable Bill for a Standing Committee; and whether, on that Amendment, it was not competent to discuss the merits of the Bill?

Mr. SPEAKER: The Main Question before the House is the proposition of the hon. and learned Gentleman the Attorney General that this Bill be committed to a Standing Committee. Upon that an Amendment has been moved, and the Question will be put in this form—"That the words proposed to be left out stand part of the Question." If that proposition be affirmed, no other Amendment can be moved.

Lord RANDOLPH CHURCHILL said, that the House was already in possession of the intention of the Government that this Bill was to be referred to a Grand Committee; and, therefore, he could understand the ruling that it would not be competent for the House now to discuss the principle of the Bill. But if the House was not in possession of the intention of the Government to refer a Bill to a Grand Committee, would it not be competent, after the Bill had been read a second time, for hon. Members to oppose the Motion to refer it to a Grand Committee, and, in doing so, to refer to the principle of the Bill?

Mr. SPEAKER: If the principle of the Bill has been decided on the second reading, no further discussion on the merits of the Bill can be allowed.

Mr. WARTON asked whether this Bill could be said to have a principle, as it was a Codification Bill?

Mr. SPEAKER: The hon. and learned Member has propounded an argument. It is not for me to decide what is a principle.

Lord RANDOLPH CHURCHILL asked in what way the Motion to refer the Bill to a Grand Committee differed from the Motion that the House go into Committee on the Bill, on which occasion the discussion on the principle could be revived?

Mr. SPEAKER: The Motion differs in this way. The House has now read the Bill a second time, and, according to the ordinary practice, the Speaker has to ask the Member in charge of the Bill what course he proposes to take with respect to the Committee on the Bill. He makes a Motion either "That the Bill be referred to a Committee of the Whole House" or "to a Select Committee." The right hon. and learned Gentleman moves, "That this Bill be referred to a Standing Committee," and upon that Question no debate on the principle can be allowed, as upon a Motion to refer a Bill to a Select Committee.

Mr. SCLATER-BOOTH said, that undoubtedly it was a common practice for Members opposing a Bill to allow the second reading to pass, because an opportunity would be allowed of discussing the principle on going into Committee. He wanted to know whether, upon referring a Bill to a Standing Committee, that opportunity passed away? He did not think that in discussing the new Standing Order it was understood that such would be the effect.

Mr. ONSLOW asked what opportunity there would be for any hon. Member to move that this Bill do not go before a Standing Committee, and to give his reason why the Bill should go before a Committee of the Whole House?

Sir H. DRUMMOND WOLFF submitted that the Motion to refer the Bill to a Standing Committee was equivalent to the Motion, "That Mr. Speaker do now leave the Chair," and that, therefore, there should be the same right of full discussion.

Mr. SPEAKER: I have already stated my view. According to the immemorial practice of the House, after a Bill has been read a second time, the Speaker calls upon the Member in charge to say what course he intends to take with regard to the Committee, who would then propose to refer the Bill either to a Committee of the Whole House or to a Select Committee. Sometimes a debate arises upon that; but no discussion upon the merits of the Bill is allowed on such an occasion.

Sir WALTER B. BARTTELOT asked whether, when this Bill had come from the Grand Committee, it would be competent for the House to review the whole of the proceedings in the Grand Committee, if the Motion were made to recommit the Bill?

Mr. SPEAKER: The New Rule has made no alteration whatever in that respect. On the Report the House can go through the Bill clause by clause and line by line, and a proposition may be made to re-commit the Bill.

Mr. E. STANHOPE asked whether, when a Bill was going through in the ordinary way, a second opportunity was not afforded of discussing the principle of the Bill on the Motion for going into Committee? He reminded the House that second readings were often allowed to be taken on the promise that another opportunity of discussing the principle of Bills would be forthcoming. If that were so, then the House had a right to discuss the principle of the Bill twice.

Mr. GIBSON said, it had been distinctly laid down that this was no automatic procedure, that in each case there must be a distinct Motion, and that a Minister could not by his *ipse dixit* determine to what sort of a Committee a Bill should go, but must satisfy the House that the Bill was a proper one to go to one of the Standing Committees on Law or Trade. It did not follow because a Bill dealt with a question of law that it should go to the Standing Committee on Law. Supposing there was a Bill to destroy Trial by Jury, that would be a Law Bill in one sense; but it would be unfair if one of the most cherished institutions of the country should not be discussed in that House, and the House would wish to have it so discussed. It was of immense importance to the House that the power should not be taken away from them of expressing an independent judgment on the question as to what Committee any particular Bill should be referred to. Many hon. Members might be of opinion that a Bill would interfere with one of the most cherished institutions of this country; and, surely, it should not be competent to the Minister in charge to refer such a Bill without full debate to a Standing Committee.

Mr. RAIKES said, that the House was indebted to the Prime Minister, towards the close of the Autumn Session, for the insertion in the Standing Order of the words—

> "Provided that there should in each case be a distinct reference of any Bill to either of the Standing Committees."

Having regard to that fact, and to the spirit of the interpretation put upon those words by the President of the Board of Trade in regard to the Bankruptcy Bill this Session, he would now submit to the Speaker whether it was not, as a matter of fact, within the Privileges of the House, whenever a Bill came back from the Standing Committee, to move, as an Amendment to the proposal for the consideration of the Bill, "That the Bill be re-committed," a course which had always been open at the Report stage of a Bill.

Mr. ONSLOW pointed out that on the Ballot Act Continuance Bill, in the Orders of the Day, there was an Amendment, on the Motion for going into Committee, "That this House will, on this day six months, resolve itself into the said Committee." Would it be possible on that Amendment to discuss the merits of the Bill?

Mr. SPEAKER: In answer to the Question of the hon. Member, I have no hesitation in saying that it would be in

Order to discuss the principles of that Bill. In regard to the question which has been put to me by the right hon. and learned Gentleman (Mr. Gibson), I have to say it is open to the House, when the Bill comes up from the Standing Committee, to move that the Bill be re-committed as a whole, or re-committed as to certain clauses. There seems now to be a desire to discuss the principle of the Bill a second time; but the House will bear in mind that on Thursday last the principle of the Bill was discussed, and I cannot see anything in the New Rules which justifies me in saying that under those Rules the principle of the Bill can now be discussed a second time.

Mr. BERESFORD HOPE said, anxious as he was to support the ruling of the Chair, he must ask this question—Did not the new procedure create a new state of things? On Thursday last the House read this Bill a second time, and the question now was, whether the character and quality of the measure was such as to make it properly a Bill to be discussed by a Standing Committee, or in Committee of the Whole House?—and he sought guidance as to the limits of the discussion, for he could not conceive how the matter was to be discussed without, at least, touching the fringe of the principles of the Bill.

Mr. GLADSTONE said, the distinction just laid down by the right hon. Gentleman (Mr. Beresford Hope) opposite, as to the right of discussing the nature of the Bill upon the Motion that it be referred to a Standing Committee, was precisely applicable to the old and familiar practice of the House, that, in certain cases, a Bill should be referred to a Select Committee—nay, more, the distinction was broader, because the reference to a Select Committee was more widely severed from a reference to a Committee of the Whole House than was a reference to a Standing Committee; and, therefore, if the argument which they had just heard was good, it would follow that they should find the argument sustained by reference to the practice of the House in debating Motions for the reference of Bills to Select Committees. If that argument was good, it would have found its way into the practice of the House, and the occasion of moving that this Bill or that Bill be referred to a Select Committee would have an occasion still more suitable for the use of the liberty of the House in discussing the Bill in detail than it could possibly be in moving to refer it to a Standing Committee. He was himself pretty confident that it never had been the usage of the House to debate at length the nature and character of a Bill upon a Motion for referring it to a Select Committee. If that was so, *à fortiori*, it ought not to become the usage of the House to debate the Bill in its details or particulars on a Motion for its reference to a Standing Committee, and for this reason, because the House was introducing not only a new process to facilitate its own labours, but a process which deprived it of none of its power, because, as pointed out by the Speaker, he apprehended that a Motion could be made for the re-committal of the Bill, in case of need, when it returned from the Standing Committee, and that then whatever was requisite could be stated with regard to the principles and matter of the Bill, as showing that it still required the revision of a Committee of the Whole House. He did not wish to convey to hon. Members the idea that anything he had stated or anything that the Government had thought could in the slightest degree bind the House; but, at the same time, it might be right that they, like others, should put their own construction on the discussion of the proceedings that took place in the autumn. With reference to what then took place, he at that time frankly admitted that there might be cases where the operation of the Standing Committee might have broken down, and been so insufficient that a reference to a Committee of the Whole House of the entire Bill would be necessary. But there arose this question—that there might be, in a Bill generally fit to be disposed of by a Standing Committee, special and important clauses which ought not to be exempted from consideration in a Committee of the Whole House. Therefore, he frankly stated in the Autumn Session, and it was generally admitted by the House, that it would very probably happen that there would be particular clauses for which it might be right to re-commit a Bill, even when a Standing Committee had performed its duties in the most satisfactory manner, not because the Standing Committee had failed, but because the weight, character, and importance of the clauses might be such that they ought on no account to be removed from the jurisdiction of the Committee of the Whole House. He, for one, was not prepared to assent to the contention of the right hon. Gentleman who had spoken last—namely, that the debate on the reference of a Bill to the Standing Committee amounted to a renewal of the debate on the second reading. It might be alleged with truth that now the House had, on an ordinary Bill, an opportunity of discussing it twice before it went into Committee of the Whole House; but it was also true that the House had an opportunity—it had not chosen to make an opportunity—of debating the Bill twice on its principle and details before referring it to a Select Committee. And the analogy of the case was with reference to a Select Committee, because it was when the Bill came back from the Standing Committee that the House would have to consider whether it required a reference to a Committee of the Whole House; and, if so, it would be in a position to debate the principles and details upon the Motion for the re-committal. Therefore, it was quite clear that the debate now in hand ought to be regulated—he would not say by the Rules, but he might say by the same usage as, he believed, had traditionally prevailed in the House when it had been moved to refer a Bill, after the second reading, to a Select Committee.

Mr. E. STANHOPE said, the distinction which had been drawn by the right hon. Gentleman between a Bill that went to the Committee of the Whole House and one that was referred to a Select Committee in regard to the opportunities of debate that were afforded was a correct and just distinction; but the Prime Minister had not pointed out the reason for it, which was that, under the old practice, when a Bill was referred to a Select Committee, there was no discussion of its principles and details on the Motion that it be so committed, because the House had a subsequent opportunity of discussing those principles and details on the Motion that the Bill be referred to a Committee of the Whole House after it returned from the Select Committee. Under the New Rules, however, when a Bill was referred to a Standing Committee, the stage of a reference to a Committee of the Whole House was expressly abolished. In these circumstances, the reason on which the Prime Minister relied was cut from under his feet. Having had two opportunities hitherto of discussing the principle of a Bill, he did not think the House ought now to be deprived of its right in that respect.

Sir WILFRID LAWSON rose to Order. He wished to know what Question was before the House. He understood that a point of Order had been raised, and that Mr. Speaker had decided it, and, therefore, that it could not be further discussed.

Mr. ONSLOW also rose to Order. If the Prime Minister made a lengthened speech, had not hon. Members a right to reply to it?

Mr. E. STANHOPE said, that he had no desire to go one step beyond the point under discussion. He should like to ask Mr. Speaker whether it was not competent for any hon. Member to move to add, at the end of the Attorney General's Motion, the words—"Except any particular clauses of the Criminal Code Procedure Bill."

Mr. SPEAKER: I think the proposition of the hon. Member is so novel that I cannot give an affirmative answer. I never heard of a Bill being referred to a Select Committee in part only.

Lord RANDOLPH CHURCHILL said, those who sat in that part of the House were under the impression that Mr. Speaker's ruling was directly contrary to what fell from the Prime Minister in his speech.

Mr. SPEAKER: I have endeavoured, according to the best of my ability, to state what I believe to be the proper construction of the New Rules. I cannot withdraw from the ruling I have laid down without special instructions from the House.

Lord RANDOLPH CHURCHILL said, the observation he made—with the deepest possible respect for the Chair—was that those who sat near him were under the impression that Mr. Speaker's ruling was directly contrary to what had fallen from the Prime Minister.

Mr. COURTNEY rose to Order. He wished to know whether, the noble Lord having already spoken on this point, it was competent for him again to speak in reference to it?

Mr. SPEAKER: If the noble Lord raises some new point he will be in Order; but otherwise he will not.

Lord RANDOLPH CHURCHILL said, he had not spoken. He had ventured to put two questions to Mr. Speaker on a point of Order; but that, he apprehended, did not preclude him from replying to the speech of the Prime Minister.

Mr. LYULPH STANLEY rose to Order. The noble Lord had distinctly admitted that he was going to refer to a point of Order which had already been decided by the Speaker.

Mr. SPEAKER: If the question proposed to be put by the noble Lord on a point of Order cannot be made plain without a reference to the speech of the right hon. Gentleman, then, perhaps, the House may be disposed to give the noble Lord some indulgence.

Lord RANDOLPH CHURCHILL wished to know whether he was right in interpreting the Speaker's ruling to be that, on the Motion that the Speaker do leave the Chair, and that the House do go into Committee upon any ordinary Bill, it was not within the competence of any hon. Member to discuss the principles and the details of such Bill?

Mr. SPEAKER: In replying to the question of the hon. Member for Guildford I stated precisely the reverse.

Mr. T. P. O'CONNOR rose to Order. He wished to know whether, in the event of the Attorney General's Motion being carried, he should be in Order in moving that certain clauses of the Bill proposed to be referred to the Standing Committee should be excepted?

Mr. SPEAKER: If the Motion of the Attorney General is carried, that will be conclusive of the matter.

Question put.

The House *divided:* — Ayes 98; Noes 27: Majority 71.—(Div. List, No. 59.)

Main Question put, and *agreed to.*

Bill *committed* to the Standing Committee on Law, and Courts of Justice, and Legal Procedure.

The ATTORNEY GENERAL (Sir Henry James) moved—

"That it be an Instruction to the said Committee that they have power to consolidate the said Bills into one Bill."

Motion made, and Question proposed,

"That it be an Instruction to the said Committee that they have power to consolidate the said Bills into one Bill."—(*Mr. Attorney General.*)

Mr. GRANTHAM inquired how this was to be done, and whether the Committee would be bound to consolidate the Bills?

The ATTORNEY GENERAL (Sir Henry James) said, that the Motion only gave the Committee power to consolidate them, which they could exercise at their discretion.

Mr. PARNELL had little doubt that the Motion, if agreed to, would be taken by the Committee as authoritative, and that they would feel bound to consolidate the Bills. He thought that coupling the two Bills together would be likely to delay both. One Bill—that relating to appeals—was of a non-contentious character, while the other was highly contentious. It was most undesirable that the passing of the Appeal Bill, which would not give rise to lengthy discussion, should be imperilled by its incorporation with the other Bill. Therefore, he suggested that the House should not pass the Motion, in order that it should be left to the discretion of the Committee to act as they thought best.

Mr. R. H. PAGET wished to move that it should be an Instruction to the Committee to consider the feasibility of making the Bill harmonize with the spirit and the letter of the Summary Jurisdiction Act, 1879.

Mr. SPEAKER: I would point out to the hon. Member that it is competent to the Committee to do as he desires without Instruction. It would be against the Rules of the House to instruct the Committee in the manner proposed.

Mr. R. H. PAGET said, as that was the case, he was, of course, prevented from moving; but he would draw the particular attention of the Attorney General to the point, with a view to the matter receiving his consideration. An enormous part of the Criminal Law was dealt with by the Summary Jurisdiction Act; and it was of the highest importance that any further alteration of the law should be in strict harmony and accord, not only with the letter, but the spirit of that Act.

Sir GEORGE CAMPBELL wished to know whether it would not be possible, in order to meet the suggestion of the hon. Member opposite (Mr. Parnell), to pass the Criminal Appeal Bill, and then consolidate the provisions of that Bill in the new Criminal Procedure Bill.

The Criminal Procedure Bill was not a complete Code, because there was at least one subject—public prosecutions—with which it did not deal. The Judges had spoken of the institution of a Public Prosecutor as a failure. It was a matter of great importance, and he hoped the Attorney General would take care that the question of public prosecutions should be adequately dealt with. He had a Motion on the Paper to make it an Instruction to the Committee to take this matter into consideration, which, if in Order, he should wish to move.

MR. SPEAKER: The Motion of the hon. Member would be distinctly out of Order, because the Committee is competent to consider the matter without Instruction.

MR. WARTON wished to know whether, as the Committees on the Criminal Appeal Bill and the Criminal Code Bill were differently constituted, it would be possible to consolidate the two measures.

MR. SPEAKER: It is competent for the House to give power to the Standing Committee.

Question put.

The House *divided*:—Ayes 67; Noes 17: Majority 50.—(Div. List, No. 60.)

## PATENTS FOR INVENTIONS BILL.

(*Mr. Chamberlain, Mr. Solicitor General, Mr. John Holms.*)

[BILL 3.] SECOND READING.

Order for Second Reading read.

MR. CHAMBERLAIN, in rising to move that the Bill be now read a second time, said, that he need not make many remarks upon the second and third parts of the Bill, which referred to the registration of designs and trade marks. Those parts contained provisions that involved details of importance; but still they were details, and did not raise any question of principle. Speaking generally, the discussion on those parts of the Bill might be better taken in the Grand Committee than they could be in the House. With regard to designs, he might mention that there were six Acts which the Bill proposed to consolidate; of these the two principal ones were 40 years old; and there had arisen under them a number of little questions which it was desirable to settle. According to the present law, there was a two-fold classification of designs, as "ornamental" or "useful;" and the latter classification had been largely used in order to obtain what might be called a cheap patent, because under this provision a mechanical invention could be registered for a period of one year's provisional, and three years' complete registration, for a sum of £10. Practically, registration under these provisions constituted a patent for four years for the sum of £10; but as this Bill, in the changes it would effect in the Patent Law, would now give to an inventor a patent for four years for £4, it did not appear to be desirable any longer to keep up this distinction. Accordingly, it was proposed in the Bill to have one classification of any novel design. At present there were provisional and complete specifications. The object of provisional specification was to enable a novel design to be submitted to buyers to see whether it was saleable before the inventor proceeded to complete registration. That arrangement had not worked well, and it was thought it would be better and simpler to allow the owner of the original design to leave at the office, not, as now required, an exact copy of the design, but a representation of it sufficient to identify it. Upon that being left at the office complete registration would be granted if the design were original. It therefore seemed to be unnecessary to continue the granting of provisional registration. The present term of the registration varied from nine months to three years, and the Bill proposed a uniform term of four years. The largest number of designs were in the cotton printing trade, and the manufacturers complained that the present term of three years was rather too short; and four years appeared to be a satisfactory average term. With regard to fees, no mention was made in the Bill; but at present the fees varied from 1*s.* to 20*s.* for each specification. It was proposed to reduce them to two fees—one 1*s.*, and the other not exceeding 10*s.* There would be a branch office for registration at Manchester, where a large number of designs were registered. In the present arrangement there was a class for sculpture, which would be abolished. Only three objects a-year had been registered in it on the average of the last five or six years; and on conferring with leading sculptors he found that they did not value the arrangement at all. The alterations as to trade-marks would be still fewer. The Acts affecting them were more recent, the principal one being passed in 1875. The principal change was in the definition of trade-mark, which would be considerably extended so as to include, for instance, a fancy word, and also brands such as were used in the tobacco and cigar trades. Power was taken to clear the register of complications resulting from trade-marks that had not been proceeded with. A proposal had been made by the hon. Member for Salford (Mr. Arthur Arnold) to give to trade-marks indefeasible registration after five years. At present registration of a trade-mark was *primâ facie* evidence of the exclusive right of the owner to the user, and after five years it was to be conclusive evidence; but the Court had held that it might still be attacked on the ground that the original registration was illegal or improper, and that the Registrar might have passed the mark *per incuriam*, or through negligence or fraud. The hon. Member proposed that five years should give an indefeasible right. He was unable to agree to that, because, either by negligence or collusion, a trade-mark which was at present the common property of a whole trade might get upon the register, and be attributed to a particular person. He might not use it or call attention to the fact. His competitors in the trade might not be aware of it; and it would be very hard if, after waiting silent for five years, he should then be able to assert an exclusive right to what hitherto had been a universal property. He now came to the most important and most interesting provisions of the Bill—those, namely, which related to the Law of Patents. He did not think it necessary to argue at any length in favour of a Patent Law; but he might remark that in recent years there had been a very great change of opinion on this subject. In the year 1865, when a Commission was appointed to examine the question, there was a strong feeling against granting monopoly rights to inventors, and the Commissioners were evidently impressed with the objections then urged; but most people now held that some sufficient and adequate reward should be assured to the inventor by means of a temporary monopoly. The country benefited by invention, and everything that stimulated invention was, therefore, advantageous to the community. No one had put the case for the Patent Laws more strongly than Sir Frederick Bramwell. That gentleman had pointed out, in a valuable Paper read before the Society of Arts, that most inventions were made by poor men, and by outsiders to the trade to which their inventions applied, and that inventors were not usually in a position to work their inventions, but had to take them to manufacturers and capitalists, who had the means and appliances for working them. If there were no patents the tendency of the manufacturers would be to let well alone, and they would not take the risk or cost of the changes involved in making improvements, except under the fear of competition or with the assurance of a satisfactory profit. So far from patents acting in restraint of trade they really developed it. Sir Charles Siemens had said, on one occasion, that he was so convinced of the fact that the Patent Law led to the development of trade that if a patent were found lying in a gutter, it would be in the interest of the State to take it up and assign an owner to it in order that it might be worked. At any rate, it could not be said that patents barred the way to other inventions. The first patent sewing machine, for instance, was immediately followed by a score of others; the Bessemer furnace had been the subject of several patents that would otherwise have never been heard of, while the discoveries of Edison and Swann had developed an extraordinary and unexpected amount of inventive talent. The late Master of the Rolls, whose death all deplored, and from whom he received great assistance in framing this measure, had told him that he never knew a bad invention stand in the way of other discoveries. A good invention might now and then retard subsequent discovery; but the provisions of the Bill with respect to compulsory licences would effectually remove the chief inconvenience that was now the subject of complaint. He might proceed, then, on the assumption that the House would grant the necessity of a Patent Law, and would pass to the objects the attainment of which was specially desirable. The objects of a good Patent Law appeared to be four-fold. In the first place, the protection granted should give adequate protection to the inventor without creating an undue monopoly In the second place, the cost of obtaining patents should not be so great as to put them out of the reach of any class of inventors; in the third place, the protection should be as real and effectual as possible; and, lastly, where litigation was inevitable, it should be both cheap and efficient. As to the first of these objects, the Bill did not make any change in the duration of patents; but an important change was proposed with regard to the extension of patents. The Commissioners of 1865 were unanimously in favour of the existing term of 14 years, which was also about the average term in foreign countries. In most foreign countries there was a classification of patents, and they were granted in France for 5, 10, and 15 years; in Russia, for 3, 5, and 10 years; in Italy and Austria, for terms varying from 1 to 15 years; in Spain, for 5, 10, and 20 years; in the United States, for 17 years; and in Germany, for 15 years. In all these cases the patent expired with the earliest of any foreign patents for the same invention; but in the present Bill he had repealed this provision, and the term of 14 years was independent of the duration of foreign patents. All things considered, it was best for the interests of the English manufacturer to tempt him to take whatever protection the foreign laws afforded him, and not to prevent him from doing so by making the term of his English patents conditional on the term of foreign patents. The term of 14 years was, of course, arbitrary; but it had existed since 1852, and he proposed to leave it unchanged. Changes, however, were introduced by the Bill in the extension of patents. At present the Privy Council decided every application for an extension upon certain rules which were practically laid down, although they did not exist in any legislative enactment. They considered, first, whether the inventor had made a sufficient profit from his business—that was to say, they took into account the profit he made in his business independently of any profit in his patents. That seemed to him altogether unfair. What was wanted was the securing of the reward for the invention. Another rule that had prevailed with the Privy Council was that where it was shown that the inventor had made a sum of £10,000, in that case no application should be granted for the extension of a patent. That seemed to him an arbitrary rule, for while a sum of £10,000 would be an enormous profit, say in the case of the invention of a window-fastener, it would be an insufficient reward for such an invention as that of Bessemer, who had revolutionized the whole iron industry. Under these circumstances, he proposed to introduce in Sub-section 4 of Clause 25 a provision which should be a direction to the Judicial Committee to the effect that they should have regard to the nature and merits of the invention in relation to the public, to the profits made by the patentee as such, and not by the ordinary course of his business, and to all the circumstances of the case; and he hoped this would meet the complaints which seemed to him to have some foundation in regard to this matter. He came now to the most important question of all — the question of fees. They had not interfered in this Bill with the amount of the second and third payments now demanded by law; but they had deferred the second payment until the fourth year, giving one year longer. They had extended the term of provisional protection from a nominal six months, though practically only four, to 12, and in some cases to 15 months. They had reduced the fee for provisional protection from £5 to £1, and the first payment for a patent from £20 to £3. The total reduction was from £25 to £4, for which sum an inventor might get a patent good for four years. Adding to that the second and third payments, £154 was the total sum for which an inventor could get a patent for 14 years. Before 1852 the fees were £300. Since then they were reduced to £175. In Lord Cairns's Bill, in 1878, no alteration of fees was proposed; in the Bill of Sir John Holker, in 1877, the first payment was reduced to £12 10*s*., the second payment was increased to £55, and the third to £110—total of £177 10*s*. Now, what would be the cost of these proposals to the Exchequer? In 1882 there were 6,241 applications for patents; the total receipts were £202,000, and the expenditure £40,000. In 1884 he estimated that the number of applications would be increased by nearly 50 per cent; on that estimate the number of applications would be 9,000, and the total receipts would be £62,400. The reason why the receipts would fall off so much was that they would get no second payments that year, having postponed them for four years instead of three. There would be an illustrated journal; and as better indexes and other improvements would be made, the expense to the Exchequer was estimated at £60,000, and the present profit to the Exchequer, supposing the applications increased 50 per cent, would be reduced from £160,000 to £2,000, which was really no margin at all. For 1885 the receipts were estimated at £122,000, and the loss of income would be reduced to £80,000. In 1890 the loss of income, he estimated, would be only £40,000—that was to say, the receipts would have increased to £160,000; but whether they should still be taking the same fees in 1890 was a question on which he offered no confident opinion. The immediate effect of the Bill would be to give a very large boon to the inventor, and practically to make the Patent Office, instead of yielding a large revenue to the State, yield no revenue at all. After consultation with his Colleagues, and especially with the Treasury, he made these proposals, he must frankly say, as the best it was in his power to make; and he could not undertake to accept, on behalf of the Government, any Amendment which, at the present time, would lay a heavier burden upon the Exchequer. He noticed that the Amendment on the Paper in the name of the hon. Member for Glasgow (Mr. Anderson) had been withdrawn; and he took that as an indication that his hon. Friend would not press it so as to endanger the passing of the Bill. He was quite prepared to admit that there was a great deal to be said against large payments; but the change proposed in the Bill was so great, and the benefits conferred so large, that he thought his hon. Friend had acted wisely, and that the working classes generally would declare that what was offered should be taken without further delay, although without prejudice to future claims. The effect of the large payments at deferred periods had not, he thought, discouraged invention. He had no proof that they had. But he had no doubt that the first payments did discourage invention, and were an insurmountable obstacle in the way of the poorest inventors. But when a poor inventor was able to get protection for £1 for 12 months, and to obtain for £4 a patent good for four years, he was not likely to be discouraged. He did not believe that if there was a useful invention, persons would not be found in the course of four years to advance the necessary money for the other payments. On the other hand, those large deferred payments would have a useful effect in weeding out useless patents. The second payment killed two-thirds of all the patents, and the third payment killed 19 per cent of those left, leaving only 11 per cent, which went on for 14 years. The fact was that a great number of patents had lived their lives by the end of four and seven years, and it was undesirable that they should continue to stand in the way of other improvements. He had seen the English system contrasted unfavourably with the American; but he doubted whether the comparison was fair or complete. At all events, there was the curious fact that foreigners had recourse to English Patent Law in remarkable preference to that of America. He found that in 1882, in the United States, out of 16,584 patents 995 were foreign, or only 6 per cent; but in the United Kingdom out of 5,751 patents 2,139 were foreign, or 37 per cent. The conclusion he drew from this was, that those foreigners who took advantage of our despised law did not think it worth their while to take advantage of the American Patent Laws.

Mr. PARNELL asked whether the right hon. Gentleman knew how many of these foreign patents were American?

Mr. CHAMBERLAIN said, he could not at that moment answer; but a very large proportion came from the Continent, chiefly from Germany and France. In connection with the question of the cost of patents, it had been pointed out that the charges of the patent agents were often more considerable than the fees; and, accordingly, in the present Bill an attempt had been made to simplify procedure, and thereby lessen this cost. At present no less than seven personal applications had to be made at the Patent Office to secure a patent; but under the new Bill that number would be reduced to two, and forms would be provided at the post offices by which any inventor who could intelligibly describe his invention would be able to transmit his application for a patent by post, without being compelled to leave his work if he were a working man. There would be a £1 stamp on the application for provisional protection, and a £3 stamp on the application for a patent. These were the arrangements of the Bill with regard to fees; and he had only now to add, in reference to this part of the subject, that provision had been made for altering and reducing the fees with the consent of the Treasury if it should appear advisable. Under the present law the fees were statutory, and could not be altered without fresh legislation. He went on to consider the third object of a good Patent Law—namely, the security which a patent should afford to its owner. In reference to this, he had considered, in framing the Bill, how far it would be possible to institute an examination into the novelty of the alleged invention before the patent was granted. There were, however, many difficulties in the way of such an examination. If it was to be effective it must be an examination in every case, and it must be conducted by the most experienced persons, because it frequently happened that valuable patents had been partly anticipated, and nobody but the most practised experts could decide on their validity. He might instance the cases of "Bessemer's furnace" and "Betts's capsules"—cases in which the differences between those and previous patents appeared to be slight, but where the patents were, after litigation, properly upheld. The expense of such an examination would be enormous, for it would be necessary to supply the investigators with the evidence of the most skilled persons, and in this fact was to be found the explanation of the costliness of patent litigation. The interests involved were often vast, and the subject-matter of a highly complicated character. The examination, therefore, for novelty, if it was to be adequate, would practically involve a costly litigation in every case, instead of in the few cases in which it now happened. If they gave up the idea of a thorough investigation they must necessarily have a perfunctory one, with all its unsatisfactory results. This was the experience of the American system, to which he had already referred. They had in the United States more than 100 Examiners; and yet it was stated in *The Engineer*, in an article on this question, that—

> "Not a week passes in which the Examiners do not pass old inventions as if they were new. A very clever American writer, some time since, devoted a paper to a single subject—namely, the incompetence of the Examiners in one department alone—clock and watch-making; and he published a stupendous list of American patents, every one of which had been anticipated."

But this was not the worst result to be anticipated. If the examinations were lax, and allowed inventions to pass which had been anticipated, the harm done would not be very great; but what was to be feared was that the Examiners would reject inventions which ought to be the subject of a patent. They might stifle the inventive genius of the country in accordance with the crotchets of a few permanent officials, or they might even, as he understood had actually been the case in the United States, make the grant of a patent dependent on the voice of persons who might be accessible to interested motives. He was convinced that the inventors of the country would never accept any system which left them absolutely at the mercy of a select class of official Examiners. But it had been suggested that the result of such an examination should be endorsed upon the patent, but should not prevent the patentee from proceeding at his own risk. This would practically come to the same thing as the rejection of the patent, as no manufacturer would deal with a patent so endorsed. Again, it had been suggested that such result of the examination should not be endorsed on the patent, but should be privately communicated to the inventor. That was a proposal of a very specious character; but there were serious objections to it. In the first place, the examinations must necessarily be confined to previous specifications, and would not include the cases in which the invention had been anticipated, though it had not ben previously patented. Then it must not be forgotten that the examination suggested could be far better made by the inventor himself, who could tell much better where to put his finger on previous specifications affecting his own than any other person. Lastly, he did not see why the Government should make an exception in favour of the inventor, as compared with every other person, and exercise a paternal care for him, and assist him in his own business, taking upon themselves, in fact, the duties of a patent agent. Sir James Stephen suggested that to do so would be very much the same as for a Court of Justice to advise a suitor whether or not he had a good cause of action. But the Government would give the inventor every faculty in prosecuting his search, although they could not take upon themselves to make it for him. The examination under the Bill would be confined to seeing that the invention was a proper subject for a patent, and that the description was sufficient and accurate, and that the complete and provisional specification substantially agreed. The last object they had in view was to cheapen and render more satisfactory the process of litigation where it had to be resorted to. Proposals had been made at different times that a special Judge should be appointed for the administration of the Patent Law; but he thought the whole tendency of public opinion was against the appointment of special Judges, and, under those circumstances, no proposal of that sort was made in the Bill. He believed, however, it was almost certain that patent cases would be put into a separate list, and that the Judges who felt themselves best qualified to deal with them would probably select that list and hear the cases. A complaint was made of the present system that under it a case had to be brought before a Judge who had to be taught in open Court by counsel, often as ignorant as himself, the technical merits of the subject. To meet this objection he proposed that either the Court itself or either of the parties without the Court should have the right of claiming that an Assessor should be appointed to assist the Judge. The Assessor so appointed would be paid by the Government just as a Judge was paid. There was also a new provision as to disclaimer. Where no action was pending, and the patentee desired either to amend his specification or disclaim any part of it, he could do so by leave of the Law Officer. Where, however—and this was the new portion to which he called attention—an action was pending, they provided that the patentee could by leave of the Court disclaim, and that the action might still be continued; but it was provided, in that case, that no damages should be obtained for any previous infringement of the patent, unless the inventor showed his original claim was made in good faith and with reasonable skill and knowledge. The principle of this provision was that the inventor who knowingly or carelessly claimed bad matter was not an object of sympathy. On the other hand, an infringer who knowingly infringed the good and valid part of a patent because he had discovered some portion, perhaps unimportant, which was bad or invalid, was not entitled to sympathy or protection; and, accordingly, he had provided that while, in the first case, the inventor would lose the advantage of his patent until he had amended his claim, in the second case the infringer might be made to suffer and pay damages for his infringement without benefiting by the technical defects or misdescription of the patentee. The next point was the question of licensing. Their position was that, while the inventor was entitled to a reward, he was not entitled to anything in the nature of unreasonable monopoly; and it had been pointed out, especially in an interesting Memorial presented on behalf of the chemical industry, that under the present law it would have been possible, for instance, for the German inventor of the hot-blast furnace, if he had chosen to refuse a licence in England, to have destroyed almost the whole iron industry in this country, and to have carried the business bodily over to Germany. Although that did not happen in the case of the hot-blast industry, it had actually happened in the manufacture of artificial colours connected with the coal products, and the whole of that had gone to Germany, because the patentees would not grant a licence in this country. In this and similar matters the patentee was only the first discoverer. Others were working on the same lines, and it was only a question of time which would arrive first at a satisfactory result. It was all very well to reward the first inventor; but it was not necessary nor just to give to the first inventor an absolute right of monopoly, which might be used for purposes of extortion, or to the injury of the country which granted these rewards for invention. Accordingly they had put in the Bill—Clause 22—that where the patentee had been shown to have refused to grant a licence on reasonable terms, and that, as a consequence of such refusal, the patent was not being worked in the United Kingdom, or the reasonable requirements of the public in regard to the invention could not be supplied, or that any persons were prevented from working other inventions to the best advantage—

> "The Board of Trade may order the patentee to grant a licence on such terms as, having regard to the nature of the invention and the circumstances of the case, the Board of Trade may deem to be just."

Besides these, there were a number of minor provisions in the Bill. As regarded the Patent Museum, they proposed that it should be transferred to the Science and Art Department, with a power to demand from any inventor a model of his invention, paying a fair sum as the cost of such model. They proposed that an illustrated journal of inventions should be published by the Patent Office, containing not only a drawing of the chief inventions, but also a report of patent actions, and other matters specially interesting to patentees. They proposed a penalty for the use of the Royal Arms without a licence, because of the abuse of the Royal Arms in the case of certain patent agents, owing to which, in a great number of cases, inventors had been deceived by thinking they had been attending a Public Office, while all the time they had been incurring heavy charges in the private office of a professional person. He would only say, in conclusion, that the Bill proceeded upon the assumption that an inventor was a person to be encouraged, and not repressed, for he was a creator of trade; and, accordingly, they desired in every way in their power to stimulate his inventive capacity and the capacity of others similarly situated. The object was one in which he took a deep interest, having had some experience of patents, and knowing the obstacles in the way of inventors. He had observed that his own borough, in proportion to population, was the most inventive place in the United Kingdom. But the matter was not of interest to himself alone, or the borough which he represented; it was a matter of general interest and importance. There was no article which we used, there was nothing connected with the necessities of our life, or that contributed to the health or happiness, or security of the population, which had not, at some time or other, been the subject of a patentable invention; and, accordingly, he would be very glad indeed if, with the assistance of the House, he was able to do anything to stimulate the inventive capacity of the people, and to add in that way to the resources and the prosperity of the country. He begged to move that the Bill be read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chamberlain.*)

Mr. ANDERSON said, the right hon. Gentleman had correctly described his motive in withdrawing the Amendment which he had on the Paper up to the last day or two. He felt that to press that Amendment to its just conclusion would be to imperil the Bill; and as he recognized much that was good in the measure he was very unwilling to move its rejection on the second reading. Still, he was not without hope of getting some amendment in the Grand Committee, notwithstanding what the right hon. Gentleman said about the determination of the Government. He congratulated the right hon. Gentleman upon the advance he had made in this matter, which, he dared say, was the result of the communications he had alluded to with Sir George Jessel, because both the Bill and the speech they had just heard were far more liberal than he (Mr. Anderson) had been led to expect from the speech of two years ago. He thought some of the changes proposed were excellent. He did not know that, to a large extent, it would be possible for inventors to do without the patent agent; but it was, at least, a very considerable thing that applications might be made by post, and on a very small number of forms. The extension of provisional protection, he thought, was also an exceedingly good provision. It had long been asked for, and they were glad to see it. As regarded the obligation to licence, there was a good deal to be said on both sides of that question. It might be said that the capitalist would not be likely to buy an invention, or to assist a poor man in taking out a patent, if he were not afterwards to be allowed to do what he pleased with it. The other side said that when the public gave a monopoly it should not be an exclusive monopoly, but one held with fair consideration towards the public, and therefore giving the public a reasonable use of it. The right hon. Gentleman referred to one important case, and he could mention another, which was well known to the hon. Member for Dumbarton (Mr. Orr Ewing)—namely, the manufacture of alizarine, a licence for which the Germans refused to grant to this country, in order that they might keep the monopoly in their own hands. He said that, upon the whole, the balance of opinion was in favour of compulsory licences. There was one very great change in the Bill which the right hon. Gentleman gave now, but which he had spoken against two years ago; and that was, taking away the management of the Office from the Law Officers. He (Mr. Anderson) had proposed at that time that it should be in the hands of three Commissioners.

Mr. CHAMBERLAIN said, he had never defended the management of the Office by the Law Officers, because the Law Officers never had managed it.

Mr. ANDERSON said, everything was appealed to them. They were the Commissioners under the Act. Whether the Law Officers managed or mismanaged the Office, the right hon. Gentleman now proposed not to adopt his suggestion that there should be three Commissioners, but to put it into the hands of one Controller. That was meeting them half-way. He himself thought the three Commissioners would be better, because he looked forward to three Commissioners sitting on an appeal against the decision of one; but he was quite ready to accept the Controller. As regarded the duration of 14 years, he was not at all satisfied with the absence of any extension. He thought an extension to 21 years would be a suitable thing. That there ought to be extension was conceded by the late Government, because by the Bill of 1879, introduced by Sir John Holker, and which the right hon. Gentleman had not alluded to, it was proposed to extend the time to 21 years, and make a considerable reduction in the initial fees. But he would be quite ready to accept, as a compromise, an extension to 17 years, which was the period in force in America, and which had been proposed by the hon. Baronet (Sir John Lubbock) and by the Society of Arts. He should certainly endeavour to get the limit extended in the Grand Committee from 14 to 17 years. The right hon. Gentleman dwelt a good deal upon the facility of extension through the Privy Council. He (Mr. Anderson) thought it would be far better to give the power of extension either to the Controller, the Board of Trade, or the Law Officers, rather than perpetuate the present clumsy mode of appealing to the Judicial Committee of the Privy Council. That continuation he considered thoroughly bad; its characteristics were circumlocution and costs. He knew of a case where even a claim for extension, that was not opposed, cost £800. In America the Commissioners could extend; he would propose to give that power to the Board of Trade. As to what was said with respect to inquiries for novelty by the Examiners he did not altogether agree; but he would have opposed any such system as that of giving the Examiners the power of veto on the question of novelty. He was also opposed to the American system of endorsing on the patent any objections which the Examiners found. He thought the duty of Examiners ought to be to aid and assist the inventors by pointing out to them previous patents that might prejudice the patent, but without any power of veto. He objected to the provision in Clause 5, that an inventor must state his whole claim at the very first, instead of being allowed to correct it in the final specification. Another thing that would be objected to was public inspection of the final specification before the patent was granted, as that was to invite opposition. He now came to the principal part of the Bill—namely, the fees. The right hon. Gentleman had admitted that the payment of £50 in the third, or, as was now proposed, the fourth year of the invention, would kill off 70 per cent, or, in other words, a poor man was robbed of his invention if not able to perfect it within a period of four years. The same might be said of the payment of £100 after seven years, which killed off other 20 per cent; and why, he asked, should so many be killed off? The fact that only 10 per cent of the patents lived for half the time for which the patents were granted was a proof that the system was bad. Killing off at seven years was simply robbing inventors, and, even for the country, was a short-sighted policy. The charges were too high, and they were faced by this fact, which the right hon. Gentleman could not get over in any way—that America granted for £7 a patent for 17 years complete; and the Government were proposing, even now, to charge £154 for a patent for 14 years, which appeared to be extortionate. So far as the changes in fees went, they were extremely good, being on the initial stages, and would be an enormous boon to the inventor, whose patents were only to last a year or two; but they would be little boon to inventors who looked forward to their inventions lasting for more than four years, or which failed to be brought to a profitable use within that period. He quite admitted this question had hitherto been a matter of revenue, and, to a certain extent, it must be so considered still; but he was glad to hear the right hon. Gentleman state that if they paid the costs of the Office, that should be enough; but he could not follow the right hon. Gentleman's figures when he said that, by his proposed reduction from £175 to £154, the surplus of £163,000 would be brought down to only £2,000. He had tested the figures in every way he knew how, and could not make anything like that result out of them. It appeared to him that even if there was not a single patent added to the many applications under this Bill as it stood, there would be in the first year a surplus of £14,000, and in the second year of £70,000—that was supposing that the costs did not increase. The right hon. Gentleman, however, said the costs were to increase, and that, of course, would take something off; but not so much as the right hon. Gentleman said. The right hon. Gentleman said he estimated an increase to 9,000 applications, and increase of costs to £60,000; but when he came to test the right hon. Gentleman's figures he could make nothing of them, because in the first year it appeared to him there would be a surplus of £57,000, and in the second and subsequent years a surplus of £113,000. These figures, however, could not very easily be dealt with in the House, and must be left for the Grand Committee; and he should like to see the figures on which the right hon. Gentleman based his calculations before dealing with them. The right hon. Gentleman told them that the Board of Trade might reduce the fees with the consent of the Treasury; but he should like to see some guiding principle stated in the Statute showing on what grounds they might in future ask for such reductions, otherwise he feared the Board of Trade would never be able to get the consent of the Treasury, because the Treasury was never very anxious to give up anything in the shape of Revenue. The only defence that was ever made for the high charges in England was made by the right hon. Gentleman two years ago, when he stated that the English patent covered as much as three or four American patents. Probably there was some truth in that under the old system; but by this proposal it was not so, because the 31st clause stipulated that the patent should not cover more than one invention, and therefore, in future, it might take several new patents to cover as much ground as one old one; and, if that were so, where was the reduction of fees? That was why the Government should adopt the same fees as were in force in America. Then, again, if there was any surplus from the fees, he thought it should not go into the Revenue, but should go to provide for the erection of the new Patent Office and Museum which the Bill proposed to give power to build. Then, with regard to the subsidiary fees, which were left entirely in the hands of the Board of Trade, he thought it would be well to have some stipulation that they should not be higher than at present, and the same observations applied to fees for trade marks and designs. But he would not now go further into that question, as he thought it would be better that the whole subject should be dealt with by the Grand Committee when the Bill was committed to them.

Mr. GREGORY said, he regretted that the Bill did not go further than it did in the direction of the recommendations contained in the Report of the Committee which inquired into the subject of the Patent Laws, and of which he had the honour to be a Member. The President of the Board of Trade had expressed his regret that he had been unable to go further, and he had pointed out the difficulties which stood in the way of doing so. He (Mr. Gregory) fully admitted the difficulties of the case. But when monopolies were granted to individuals by the State it was bound to see that they were not needlessly extended, and were only granted under proper conditions. The Committee desired, as far as they could, to limit the creation of these monopolies; but, to his mind, the Bill failed somewhat in that direction. The only matter to be inquired into on the grant of a patent was to be whether the invention was a subject-matter for a patent. He did not know what was meant by that. It might be something, or it might be nothing. In his opinion, it was very desirable that, at all events, the Examiner, acting upon his own knowledge and experience, should point out to an applicant any deficiencies that occurred to him in the utility and novelty of such invention, and the patentee would then proceed with it at his peril. They had it upon the evidence of Mr. Justice Grove that the multiplicity of small patents that were of no general utility had been a serious impediment to scientific discovery and experiment. They wanted, as far as possible, to discourage frivolous patents and experiments which only wasted the time of men who would have been better employed in their legitimate business; but he feared that the Bill would rather tend to encourage them by giving a reduction of fees and an extension of time. He did not say that he objected altogether to this; but they ought, at the same time, to see that these facilities did not enable a man to waste his own time and injure the public. He felt that stringent provisions should be laid down by the Examiner or the Controller for the consideration and prevention of frivolous inventions and schemes, which in themselves were of no public utility. He did not think the Government could have gone any further than they had done in the way of reducing fees. They gave absolute protection for £4 for a period of four years; and he thought that period would be ample, in the great majority of cases, to decide the utility of the patent. With reference to the question of licences, which was a very important one, he hoped that would have very careful consideration, because he felt that when they were granting patents that was the time when they should make terms with the patentee, and compel him, on reasonable terms, to grant licences. That was a point which he hoped at the proper time would be closely considered.

Mr. BROADHURST said, that one remarkable feature in attempted Patent Law legislation was the extraordinary progress made in it by every Minister year after year. Since the introduction by the Attorney General of the late Government of his first Bill on the subject there had been a definite progress in every measure; and, as far as he had followed the subject, that now before the House showed a marked advance on any which had preceded it. He much preferred the proposal of a Controller than a Board of Commissioners, as had been suggested in some quarters of the House. The part of the Bill which interested him most was that which dealt with charges on patents; and he must say that he would have been much more satisfied with the Bill if it had given 14 years' protection for £4 instead of only four years. He did not think they should seek to make a profit out of the men who, by their genius, were increasing the wealth of the country ten-fold. Indeed, he was not sure that the granting of pensions of £2,000 a-year would not be very much better bestowed upon many of their inventors than in certain other directions. The reduction in cost proposed, however, would meet with general approval. He sincerely believed the proposal of the Bill to give opportunities to inventors to obtain patents without going through the Patent Office was an honest attempt to assist the working inventor. While he heartily supported the second reading, he reserved to himself the right to propose Amendments in Committee, especially with regard to the financial portion of the Bill.

Mr. JACKSON considered that some definition of the subject of a patent ought to have been inserted in the Bill. The right hon. Gentleman pointed out that the number of foreign applications in this country was very much larger than in America. But the fact was that foreigners who were not the original inventors might obtain patents in this country; but in America it was absolutely necessary that the applicants should be the inventors. The proposal in the Bill that the applicant must be the first inventor was an improvement. In America the examination that was held resulted in the rejection of more than 30 per cent of the applications, and that was a conclusive proof that where there was a cheap system it was essential to have as complete an examination as possible. Another very important question was that of compulsory licences. The right hon. Gentleman had pointed out two cases—those of the German hot-blast and of artificial colours—in both of which patents had been granted to foreigners; but licences were refused by them to have the patents worked in this country. It was quite right that power should be taken that the patents granted should be worked in this country. He did not think, however, that where a man had made some small improvement he should have power to call upon the inventor to grant him a licence. He approved the proposed alteration of the law, by which in future the applicant for a patent would be required to make a declaration that he was the first inventor. With regard to the question of fees, he thought nothing could be more satisfactory than the fee for the first year; but when the Bill got into Committee he hoped it would be possible to get the fee for the second and third year reduced one-half at least. In America the amount received from fees was about £170,000 a-year, which left a profit on the working of the Office of £50,000 a-year. He thought, therefore, that the figures given by the President of the Board of Trade as to the probable working of the fees would be found to be inaccurate. He commended the Bill, on the whole, as a good one, and as likely to give great satisfaction throughout the country. But there were points of importance which would require modification before the measure could be entirely satisfactory.

Mr. B. SAMUELSON congratulated the right hon. Gentleman, not only upon the very lucid exposition he had given, but upon the great improvement which the Bill would effect in the law. He said this with some degree of pride, because he had the honour of presiding over the Committee to which the hon. Member for East Sussex (Mr. Gregory) had alluded, and the recommendations of that Committee were in reality the substance of the Bill. The Committee were unanimous, except so far as those were concerned who were opposed to patents altogether; but that school was now defunct, and all acknowledged that there should be a Patent Law. He believed that the Bill would require amendment in the direction of giving early publicity to the claims of patentees. He did not think a system could be said to be sound which enabled anyone who believed—or, perhaps, it should be said, who did not believe—that he had an invention, to go to the Patent Office and claim a monopoly. That was a point which would require careful examination in Committee. His right hon. Friend the President of the Board of Trade had referred to the numerous improvements which were being made in regard to electric lighting. That matter now occupied many minds; and it was, therefore, of the utmost importance that each inventor should know as soon as possible what the others claimed. The recommendation of the Committee of 1871-2 had been adopted in the Bill in respect to the power of granting licences. The instances in which the absence of such a power had proved mischievous might be multiplied to a great extent. One of the most important provisions in the Bill related to the appointment of Assessors to assist the Judges. The present Lord Chancellor had declared that the expert witnesses who appeared in patent trials were absolutely the masters of the Court, the suitors, and the jury. A suitor would sometimes give an expert a retainer, in order that he might not appear as a witness against him; and there were even some witnesses of this class who would give an opinion precisely in accordance with the views of those who subpœned them. The appointment of skilled Assessors would, however, provide a check to these lamentable abuses. The Board of Trade reserved to itself the power to vary the form contained in the Schedule. That, he thought, should not be left to the discretion of the Board of Trade, but should be dealt with by legislation. It might be worth while to consider whether the period of 15 years, which was adopted in nearly all Continental countries, might not be adopted in this country also; but this was one of those matters of detail which, he thought, might be safely left for the consideration of the Committee. The main principles of the Bill were excellent. It appeared that the entire management of patents was to be in the hands of a Controller, and he supposed that this officer would be subject to the Board of Trade. He hoped that the power conferred on the Board of Trade would be actively exercised. He thought the greatest possible facility should be given to workmen to inspect patents in an Office which was at least as accessible as the present one; therefore, he hoped whatever might be done with regard to models, that the Patent Office would not be transferred to South Kensington. He did not attach much importance to the exhibition of models in museums, for if a man could not understand drawing he would not understand models.

Mr. STUART-WORTLEY said, he congratulated the right hon. Gentleman the President of the Board of Trade on the approximation he had made towards satisfying the public demand for alterations in the Patent Law, so as to give greater facilities to working men by lowering the cost of patents. The right hon. Gentleman had made certain calculations of the effect which these changes would have on the Exchequer. The President of the Board of Trade had access to information on which to base his calculations which others not in his position could not command, and therefore, no doubt, his calculations were well founded; but he (Mr. Stuart-Wortley) thought it ought now to be recognized that the unappropriated surplus in the hands of the Commissioners of Patents was not a surplus upon which the taxpayers had a right to come. The patent fees did not constitute a source to which they should look for an increase of the Consolidated Fund. He hoped that, whether by appropriating the surplus in the hands of the Commissioners or otherwise, they would see in future years another reduction of the charges for patents. Nothing would satisfy the working classes, as all his communications from them showed, but a reduction of the later as well as of the initial fees. It was said that the applications by foreigners for patents were fewer in America than in England. If in England the applications were more numerous, though the fees were higher, the reason must be that there was a better market for inventions, counteracting the deterrent effect of the higher fees. He noted with satisfaction that part of the Bill which dealt with trade marks, and also that the Bill made, so far as his present instructions went, a fairly satisfactory recognition of the claims of the Sheffield Cutlers' Company, and of the public services by which that distinguished Corporation had justified its ancient privileges.

Mr. HORACE DAVEY believed that the majority of the country was in favour of the maintenance of the Patent Laws, though there were, no doubt, many persons whose opinions were entitled to respect who thought that a system of monopoly tended to check invention rather than to promote it, and that it was not the meritorious inventor who made the profits from an invention, but the fortunate person who bought it from the meritorious inventor. But there was a good deal more to be said upon the other side of the question than was supposed. He agreed that the general question as to the expediency of granting patents was not, at the present moment, a practical question; in the present state of opinion it was a question more fit for a debating society than for the House of Commons. But, assuming that Patent Laws ought to exist at all, he thought that the right hon. Gentleman the President of the Board of Trade had, on the whole, taken a right view of those laws, though he differed as to the expediency of those parts of the Bill which had received commendation from previous speakers. The principles of the Bill were, he thought, in the right direction, for they were the simplification of the procedure in obtaining patents, the diminution in the expense of obtaining them, and the providing greater security for, and giving greater validity to, patents when granted. He thought the right hon. Gentleman had taken a sound view in not directing an examination into the novelty of a proposal for which a patent was asked, for he thought it would be calculated to work a great deal of injustice, besides being illusory and impracticable. He did not understand that the right hon. Gentleman intended by his Bill to make the examination conclusive, but that the only object was to assist the parties to put their patents into a proper form. Another point upon which he wished to say a few words was one in which he had had some experience, and that was as to the compulsory assistance of an Assessor, which he thought was unnecessary and mischievous. The Judge already had power to call in the assistance of experts; but he had never known a single case in which either party or the Judge himself desired to avail himself of such assistance. It had been said that the Judge and counsel were pretty much at the mercy of an expert witness; but, in his opinion, the allegation was altogether unfounded.

He believed, from conversations he had had with various gentlemen, that he knew the source from which that allegation had come, and he believed that Sir Frederick Bramwell had said something of that kind; but he thought, if he might say so, that Sir Frederick Bramwell a little overrated the influence he possessed; for if one side had expert witnesses, the other side had them too. So far as his experience went, this proposal was the result of a fear and an apprehension which had no sufficient basis whatever, and the best proof of this was that the Judge had for a great number of years had the power of calling in expert assistants; and yet, as far as he knew, there had not been a single case in which that power had been exercised. As regarded trade marks, the present Bill appeared to him to consolidate the existing law on that subject, while, at the same time, it introduced some novelties about which he wished to make a few observations. It perpetuated the blot of the Act of 1874, which attempted to define what a trade mark was; but that measure was so framed that it was impossible to bring them within the meaning of the law. He wished, therefore, to see some words of a negative character introduced into the Bill which would enact that no person should be allowed to use a trade mark which did not come within the meaning of the Act. He was glad that cognate subjects of this kind were to be grouped together in one Act. He did not think that the patent fees now exacted were too high.

**MR. WILLS** said, the Bill, which the right hon. Gentleman the President of the Board of Trade (Mr. Chamberlain) had so fully and clearly explained to the House, was likely to have a very beneficial effect upon future grants of patents, and was also calculated to exercise considerable influence upon the trade and manufactures of the country, and its commercial arrangements generally. In the few remarks he purposed to address to the House, he desired to confine himself to that section of the Bill which had reference to trade marks. The interest of that part of the Bill was, of course, not so great as that of the clauses which related to patents; but it was a part of the Bill which in itself was very useful and important. By trade marks protection was not only given to our manufactures at home, but also, to a much larger extent, abroad, especially where the English language was not understood, because it afforded a guarantee to the public of the genuine character of the articles they desired to have. The present Bill repealed the short Act of 1875, and the still shorter one of 1876, and also the Rules which had been laid down under them; and it enacted the provisions of those Acts, with some additions and alterations. The present practice of the law was, undoubtedly, unsatisfactory; but there were several defects in the proposal now made by the right hon. Gentleman, and there was also a total omission to deal with some questions of very great importance. He believed the Bill did not go far enough in embodying what were called "decided cases." It did not give a definition of what was known as an open or common trade mark, which he believed to be a great omission in the Bill. Hitherto the Registrar had acted on the principle that where three persons had substantially the same mark for the same class of goods, that mark should be regarded as an open or common one, and could not be claimed by any one trader alone. That was a simple principle, and he (Mr. Wills) thought it might be adopted in the Bill, with certain limitations as to publicity in regard to user. Then the Bill did not go far enough in regard to statutory declarations; and he hoped that, as the Bill would in all probability go before the Standing Committee on Trade, &c., it would be thoroughly discussed and threshed out before that Committee, and that this question, as far as possible, would not be left to be dealt with by Rules of Court. Before last year the Rule was that these statutory declarations were required to be made by all the applicants for the registration of old marks. The new Rules preserved the statutory declaration in the case of transmittory marks; but he did not see why it should be required in that case more than in the case of the original applicant. He had a knowledge of several instances in which the statutory declaration had prevented application for marks that were colourable imitations of other marks; and it formed the only possible check against the registration of another man's trade mark, except that of opposition. Many men who would have made an application if they had dared had been deterred by the fact that a statutory declaration was required. There was another class of registration, which the Bill did not profess to deal with, and that was representative registration. Many traders had a series of labels for their goods. For instance, a distiller had a series of labels, upon which the name of the particular article was left in blank, so that the same label might be used for gin, rum, whisky, and other articles; but the design was the same for each article, the name of the article itself only being different. If traders were compelled, under the new Bill, to register each label separately, it would be a very costly process; and he might say that for a long time the Registrar only allowed one general registration, with a blank for the name of the goods. He now wanted a separate registration for each article. The question was a very important one, and he thought it ought to be definitely settled by the Bill, and that one general registration should cover each separate article of the series, and certificates be given accordingly. There was one point to which the right hon. Gentleman had very briefly alluded in his speech in moving the second reading of the Bill, and that was the definition of what were called "fancy words." He (Mr. Wills) had looked through the Bill carefully, and he failed to find any definition of "fancy words" as trade marks; and he thought that was a matter which ought to be carefully considered by the Standing Committee. The last point to which he desired to draw the attention of the House was that he did not find in the Bill anything as to the extension of the system of registration either to the Channel Islands or to the Isle of Man. He hoped, when the Bill got into Committee, a clause would be introduced extending the provisions of the measure to those localities. Altogether, with the exception of the few points to which he had drawn the attention of the House, he was of opinion that the Bill was likely to be a very useful one, and that it would work well for the commerce of the country.

Sir JOHN LUBBOCK congratulated his right hon. Friend (Mr. Chamberlain) on the favourable reception the Bill had met with on both sides of the House. He approved of the simplification of process, and the abolition of the necessity for personal attendance would be a great boon to many persons resident in distant parts of the United Kingdom. The extension of the term of provisional protection from six to twelve months, and various other portions of the Bill, would also be advantageous. At the same time, other portions of the Bill were open to grave objections. In the first place, he scarcely thought that his right hon. Friend had formed an adequate idea of the very great importance of the Office of Controller of Patents. Considering the great number of patents, and the complexity of the questions raised, he confessed that he was doubtful whether one person would be sufficient to fulfil the duties of the Office satisfactorily. He concurred in the tribute paid by his right hon. Friend to the remarkable ability displayed by the late Master of the Rolls in dealing with patent cases. He had no doubt that Sir George Jessel's action in the matter had been eminently successful; but Sir George Jessel was a very exceptional man, and he believed, with the hon. Member for Glasgow (Mr. Anderson), that there was a great deal to be said in favour of the proposal that there should be three Controllers, one of whom might be learned in the law, another well versed in chemistry, and a third in mechanics. He regretted that the Bill did not contain provisions to that effect; and, seeing that the Controller was to be a subordinate officer of the Board of Trade, he could not help fearing that it was not intended to appoint a person of sufficiently high standing. It seemed to him that they ought to have someone possessing a similar qualification to the Commissioners of Patents in the United States. It would be good economy, in the long run, to get the very best man for such an important work they could possibly find anywhere. Then, as to the question of examination, he did not wonder, seeing how much his right hon. Friend had had to do in the last few days, that he was not accurate in the statements he had made. The right hon. Gentleman said that the Society of Arts proposed in this Bill to have an examination for novelty; but that was a mistake; their Bill contained no such proposal. What was suggested was, that there should be an examination with reference to subject-matter of patents; and that proposal was also contained in the Bill now submitted to the House by his right hon. Friend. But, as he (Sir John Lubbock) understood the measure, it was not proposed that there should be a final examination. He could not help thinking that, as far as the subject-matter was concerned, it might well be asked that the examination on that point should be final. Surely, it was somewhat inconsistent to take fees from poor persons for patents, and then afterwards tell them that they could not have a patent at all, not because their invention was not useful, but because it was not subject-matter for a patent. He thought that was a question which ought to be decided in the first instance. Then, under Clause 11 of the Bill, any person might give notice of opposition to the grant of a patent. But the clause went on to say—

> "The Law Officer shall, if required, hear the applicant and any person so giving notice, and being in the opinion of the Law Officer, entitled to be heard in opposition to the grant, and shall determine whether the grant ought or ought not to be made."

He wished to know from his right hon. Friend what was meant by a person being entitled to be heard, because the words did not seem to him to be very clear. The Bill provided that the opposition was to be on open documents. He could not help thinking that, in many cases, this opposition would inflict hardship upon the inventor. The opposition generally rested upon the assertion that the invention had already been made, or that it was in use by the person opposing the granting of the patent. Under the existing system, the determination of that point was comparatively easy; because it required the person opposing to show that he knew what the proposal of the patent really was. That was a matter which, under the present system, could be disposed of in a tolerably easy manner. He was afraid, however, that if the Bill passed in its present shape, it would be very difficult in future to get rid of opposition, because it would be a very simple and easy matter for any person to claim a previous discovery of the process for which the patent was claimed; and, in point of fact, the Bill would lead to lawsuits in a great many cases, and place the inventors at great disadvantage. In point of fact, an inventor would find, in many cases, that when he took out a patent he took out a lawsuit also. It was further proposed in the Bill that a patent could only be taken out for one specific invention. As his hon. Friend the Member for Glasgow (Mr. Anderson) had pointed out, that very considerably diminished the boon conferred upon the inventor by the reduction of fees. He should like to know from the right hon. Gentleman, seeing that there was some difference of opinion as to the exact meaning of Clause 31, whether it was proposed to allow more than one claim? If that were so, he hoped his right hon. Friend would not object to insert into the Bill the words "from time to time," which would make the matter perfectly clear. It would be very different if it was intended that there should be only one claim on the part of the patentee; and he trusted that, if that were so, the right hon. Gentleman would reconsider the matter. The invention might consist partly of new machinery, partly of a re-arrangement or new adaptation of old machinery, or it might be entirely new machinery. It would seem almost impossible for the inventor of a new and complicated piece of machinery to state, in a single sentence, what it was for which he claimed protection. Suppose, for instance, a person invented a new process and a new machine for making a new product, and he desired to take out a patent. It might turn out that the product was not new, yet the new process and the new machinery could constitute a good ground for a patent. Or neither the product nor the process might be new, and yet, if the machinery were so, the patent would be good. The Americans had a formula that the claim was "for the whole invention substantially as described;" but that would scarcely be permitted here. Again, it was proposed in the Bill that the claim should be made at once; but he (Sir John Lubbock) thought that would be hardly found practicable when they came to put it in operation. A man knew what he had invented, and could put it in a particular specification; but he might be quite ignorant as to what he could claim as his own. To determine this would require special knowledge and an intimate acquaintance with all patents that had gone before. It would be very hard to deprive him of the advantage of a valuable invention, because some small part, which he supposed to be new, had, in fact, been previously discovered. It was only fair and reasonable, when a man brought forward an invention, that he should have protection, and be allowed a certain amount of time in order to ascertain how far the invention was novel, and what he had really a right to claim. To some extent, this difficulty was met by the power of disclaiming; but it would be better, however, somewhat to defer the presentation of the claim itself. He was not quite sure whether his right hon. Friend the President of the Board of Trade intended to permit, as at present, more than one disclaimer. If so, it would be well to insert in Clause 18 the words—"From time to time." If not, this seemed a great mistake. Disclaimers were, practically, omissions. It was found, for instance, that some part of a patent was not new; and it was only reasonable, in that case, that the inventor should be allowed to omit it. Surely, it would be very hard to deprive him of what he had been the first to invent or discover; because, in some detail, which he had, so far as he was concerned, discovered, he turned out to have been anticipated. Take, for instance, the case of the telephone and phonograph. It was considered by Mr. Justice Fry that some points of the latter were not sufficiently described; and Mr. Edison was, therefore, allowed to disclaim them. It would have been very hard if he had lost his claim to the telephone; because, as regards the phonograph, his description was misunderstood. The Bill left the state of the law with reference to the Crown unaffected. The present system was, however, very unjust. As regarded the Naval and Military Services, indeed, they stood by themselves; but it seemed very hard that the Post Office, the Telegraph Service, and other Departments should be allowed to benefit by inventions, without rewarding the inventor. Such injustice must necessarily tend to check progress, and, in the long run, defeat its own object. In conclusion, he could only express a hope that the right hon. Gentleman would give the points to which he (Sir John Lubbock) had referred his favourable consideration. There were other parts of the Bill to which attention would, no doubt, be called when they came to discuss the details of the measure in Committee; but, at that late hour of the night, and considering that other hon. Members were anxious to speak, he would content himself with thanking the House for the kindness with which it had listened to him, and with commending the remarks he had made to the consideration of Her Majesty's Government.

Mr. ECROYD said, he would also join in congratulating the right hon. Gentleman the President of the Board of Trade (Mr. Chamberlain) on the Bill, which seemed to him (Mr. Ecroyd) to be a valuable contribution towards the settlement of what were, undoubtedly, very complicated and difficult questions. He thought they would all agree that the Patent Law, in past times, had acted satisfactorily, as far as concerned great inventors, who were able to defend their inventions; but, as regarded those ingenious workmen who were continually developing small improvements, he could not at all doubt that the law had tended rather to repress than to encourage invention. The question of expense was one which pressed most heavily on this class of inventors. He entirely approved of the concessions which Her Majesty's Government made in that respect; but he hoped they might be induced to take a still broader view of this great question, and rather to regard the importance of developing the inventive talent of the working classes, than the more narrow and immediate question of the saving of a few thousands a-year by the Treasury. In the next place, the small inventor had had before him the almost insuperable difficulty of defending his invention in a Court of Law against persons who were possessed of ample means, and who had had experience in litigation of that kind; and it was impossible that he could hope successfully to compete with them. He was disposed to fear that the provisions of the Bill now before the House would not be sufficient to secure the thorough sifting of new inventions for which patents were asked. It must be borne in mind that not only the public and the users of inventions were harassed by the existence of a multiplicity of unreal patents, but the inventor of small means found this one of the most discouraging circumstances he had to face.

He had often been appealed to by workmen who had succeeded in hitting upon some meritorious invention, and who innocently imagined they would have no difficulty in establishing their claims; but he must confess that very few of these men had ever succeeded in reaping the reward that justly belonged to them. They had been discouraged at the outset by threats of litigation. They were further discouraged by the existence of numbers of patents, loosely drawn, and capable of being used to the hindrance of the development of their own inventions; and they feared that, if they once went into litigation, they might very easily dissipate their savings without securing that for which they contended. He hoped, therefore, that, in the future progress of this Bill, the right hon. Gentleman might be able to give some more thorough means of sifting patents in the beginning; and he agreed in the opinions expressed by one or two hon. Members who had already addressed the House, that one Controller would by no means be sufficient to enable such questions to be satisfactorily disposed of. He trusted that the payments required to be made at the end of four years, and at a later period, would be reduced by at least one-half, although there might be some trifling loss thereby entailed upon the Exchequer. He would not, at that hour of the night, detain the House further, having regard to the fact that the Bill was to go before the Standing Committee on Trade.

Mr. CARBUTT said, he was afraid that, at that late hour of the night, it was rather too much to ask the House to listen to him; but he had had some experience of the Patent Question, and, having been a patentee himself, he desired to say a few words. He could not help congratulating his right hon. Friend the President of the Board of Trade upon the measure he had introduced, and upon the great advance he had made in his ideas during the last two years. The right hon. Gentleman showed that he was ready and willing to accept the suggestions which had been made by persons outside. The right hon. Gentleman had seen several Gentlemen whom he (Mr. Carbutt) had requested him to see, and he had availed himself of the information he had received from them. Several Bills upon the subject of patents had been brought in within the last five or six years. One was brought in by Lord Cairns, and two or three by the late Sir John Holker; and he (Mr. Carbutt) thought it would be a great honour to the right hon. Gentleman the President of the Board of Trade if he found, after the attempts at legislation which had taken place, that he was able to settle the question for some years to come. He congratulated the right hon. Gentleman on the provisions of the Bill for simplifying the mode of procedure. He did not think that many people could avail themselves of the arrangement for sending patents through the Post Office; but he thought the right hon. Gentleman had been rather too timid in regard to the reduction of fees. So far as the third payment was concerned, the right hon. Gentleman would have to reduce it very considerably, if he wished to meet the views of the general public. He (Mr. Carbutt) had had a great deal more to do with patents than probably the right hon. Gentleman had; and he believed that if the right hon. Gentleman had been bold in this matter, and had taken the bull fairly by the horns, he would have increased the number of patents very much more than he imagined. He also believed that if the right hon. Gentleman had met the question boldly, he would have found that there would not be a very large falling-off in the Revenue. He had not been altogether able to follow the calculations of the right hon. Gentleman; but he understood the right hon. Gentleman to say that, in 1884, he would only have £2,400 towards his expenses. He wished to point out that the Chancellor of the Exchequer, in making his Financial Statement the other night, stated that he had a large sum at his disposal, of which he intended to appropriate £120,000.

Mr. CHAMBERLAIN wished to remind the hon. Gentleman that, if the present Bill passed, it would only be three months in operation during the first financial year.

Mr. CARBUTT said, that what he wished to point out was, that the £120,000 which the Chancellor of the Exchequer wished to dispose of might be utilized in cheapening patents, and he did not think the money could be better spent. He was glad the right hon. Gentleman proposed to appoint a Controller; but he was sorry that the Controller was not to be made a sufficiently important personage to do away with the Law Officers to the Crown. He entertained very great respect for those Officers; but, at the same time, he thought they had more work to perform than they could possibly get through, and it was most undesirable for them to be continually appealed to in the matter of patents. One clause which he looked upon as a great blot in the Bill was Clause 11. If that clause were allowed to remain in the measure, he believed the new Patent Law would work very badly indeed. No poor man could afford to fight a patent case, because he would have against him a combination of rich manufacturers, who would keep someone watching all patents; and whenever they saw anything calculated to interfere with their trade, as soon as the patent was deposited the invention would be opposed, and if nothing else would carry on the opposition money would. The result would be that, in many cases, the poor inventor would find himself unable to get his patent. The same difficulty existed in the law a few years ago, and people took their inventions to Germany, because the manufacturers here were on the look-out to fight any new invention. In Germany, a man who deposited a patent was encouraged to go on with it; and, if he was without the money himself, other persons would provide the means for bringing the patent into the market. If this Bill passed with Clause 11 as it stood, he feared that it would make the measure perfectly inoperative by greatly reducing the number of applications for patents; because if a poor patentee was required to fight the question before a Court of Law, they might depend upon it he would never be able to carry out his invention. He was told that the object of the clause was to prevent litigation. Upon the question of litigation he had no means of obtaining information, except from the Paper on the Inspection of Patents read before the Society of Arts by Sir Frederick Bramwell. In that Paper it was stated that, out of a total of 5,000 actions tried in the Law Courts, only about eight were ever brought to an issue upon appeal. The number, therefore, was so inconsiderable, that it was not worth while to endanger the success of the Bill in order to obtain this object. He trusted, when the Bill went into Committee, that the President of the Board of Trade would carefully consider the evil effect of this clause. His own opinion was that, if the clause were left in the Bill, the measure itself would be a total failure, and that, in three or four years' time, no patent would ever be taken out in this country. He should now like to say a word or two in support of the statement made by the hon. Baronet the Member for the University of London (Sir John Lubbock) in reference to the rights of the Crown. Under the provisions of the Bill, no patentee was to have a claim against the Crown. Now, at the present time, both the Army and Navy were constantly engaged in providing new machinery for the purposes of war, and he thought it would be bad policy to restrain inventions. We were the richest nation in the world, and were quite as well able to pay as any private manufacturer. He, therefore, hoped that some clause would be inserted in the Bill allowing a patentee to have a claim against the Crown, or by means of which some arrangement might be carried out for the granting of licences. He thought it would be most unfair and unjust not to allow a claim against the Crown. At present, in granting a patent, a provision was generally laid down requiring the patentee to forego a part of his fees in such a case as the use of his patent by contractors who were supplying ships of war for the Government. The contractor was compelled to use the patent; and he did not think that compulsion should be exercised, pure and simple, without allowing the patentee the right of receiving payment for his invention. There was another matter to which he wished to call attention, and that was the objectionable character of the provisions in regard to the publication of provisional specifications. He believed that the publication of provisional specifications would prevent improvements from being carried out. An invention would never be brought to a successful issue; and, if it was not brought to a successful issue, they were only breaking the way for someone else; and unless the publication of provisional specifications was entirely prevented, they would very much hamper the manufacturer in his future transactions. He was glad to find that the hon. Gentleman dealt with the question of the publication of foreign patents. There was another matter which had already been referred to by the hon. Member for the University of London—namely, the question of claims. He (Mr. Carbutt) agreed with the hon. Baronet, that it would be utterly impossible for an inventor to state, in the first instance, what it was that he claimed. He knew very well what his invention was; but it was impossible for him to state what it would do, and it would have a discouraging effect to require him to state his claim upon taking out a provisional specification. He thought they might well put away that provisional specification altogether, and enable a man to take out a patent at once, and pay for it at once. Having made these criticisms upon the provisions of the Bill, he was still prepared to admit that the measure, with all its defects, would effect several useful reforms.

Mr. ILLINGWORTH said, he thought the Bill was a very satisfactory one, and he would also congratulate his right hon. Friend (Mr. Chamberlain) both upon the measure and the very able speech he had made in moving the second reading. There were, however, connected with the Bill, one or two points which deserved the consideration of his right hon. Friend. He (Mr. Illingworth) thought the right hon. Gentleman met the inventors—who were comparatively poor men—very fairly in the initial stages of their inventions, by reducing the fees to be paid in the first four years to £4. On the other hand, he thought more forcible arguments against the serious reduction of fees in the later stages of a patent should be adduced than those which had been advanced in the course of the debate. He was of opinion that when four years had elapsed, and the value of the invention had been established, it was not a very great hardship upon the inventor to call upon him to consider whether he was willing to pay a further fee of £50, and ultimately of £100, for the purpose of securing protection. The public were greatly interested in the successful working of the measure now before the House, and nothing was more important, under the Patent Law, than that the registry should be cleared of worthless inventions within a reasonable period, or many inventions of no particular value whatever would remain upon the registry, in the hope that some subsequent invention might render them of value. He thought it was unjust to the second inventor, that he should be hampered by the existence of a useless invention, which was simply hung up in the hope that the inventor might be able to make use of it in connection with some subsequent discovery. In regard to the extension of the patent beyond the period of 14 years, which had been advocated by the hon. Member for the University of London (Sir John Lubbock) and other hon. Members, he thought the period of 14 years was, on the whole, very satisfactory; and the reasons which had been given to the House were not sufficient to justify Parliament in extending the term beyond 14 years. When the information and knowledge of working men were far less than they were at present, they had to be contented with the period of 14 years. He wished, further, to point out one or two of the general advantages which would be derived from not having in this country a period quite as long as that which was provided in other countries; because, if patents in this country expired a year or two before they expired in other countries, it would give the manufacturers in this country an immense advantage in preparing for the start in open competition as against other countries which would be anxious to compete with them in the open market, owing to their being more free than other inventors would be abroad. He did not think the case with regard to the assistance of experts had been left by the hon. and learned Member for Christchurch (Mr. Horace Davey) in a satisfactory position. There was such a thing as the Judge being sometimes at fault in giving judgment upon claims as to which only an expert could assist him in arriving at a decision. There was one other point he would refer to—namely, that relating to foreign patents which had expired. He would ask his right hon. Friend whether patents which had become void abroad, could be taken out anew in this country?

Sir EDWARD J. REED said, an inventor ought to learn, from the preliminary examination, whether he was proposing to patent an old invention. He remembered that when he had the honour of serving at the Admiralty, the same inventions used to be submitted over and over again; and of these, it would be no exaggeration to say that the more useless they were, the more often they presented themselves. He objected to the practice by which, when once a patent had been granted, its use was—as in many cases it certainly was—denied to everyone else. It was an acknowledged fact, in the mechanical profession, that the same invention was produced by many persons about the same time. The obvious cause of that was that a large number of inventions grew out of the necessities of the times, and it should not be forgotten that, in granting a monopoly to one person, they thereby probably interfered with the improvements of other people. A case in point came before him a few days ago, of a gentleman in a large way of business, who informed him that he had succeeded in making certain improvements, and had set up machinery to carry it into operation at a cost of £3,000; he had, however, been served with a notice that his improvement was covered by another person's patent, under which he was refused a licence, and the consequences were that he was not allowed to use his own invention at all, the costly machinery which he had erected being thrown upon his hands, and remaining perfectly useless. He would like to see Clause 22 of the Bill carried a little further—namely, to the extent that no person should be allowed to obtain, under the Patent Law, the absolute monopoly of a patent to the exclusion of other people. He would suggest that every person obtaining a patent ought to be obliged to grant licences to any other person, the amount of royalty in case of dispute being decided by the authorities. It was said the Bill contained a novel provision, under which an inventor would not be able to claim for something which was not in the provisional specification. But he would point out that this was the law at present, and, therefore, no substantial change was introduced by the Bill in that respect. The same might be said of that portion of the Bill which related to the patent only covering one invention; he did not think there was anything in the Bill to prevent any number of claims being put forward, which could be legitimately covered by a patent. As to the question of opposition, the Bill wrought an improvement, by reducing to one, the two hearings before the Law Officers, that were now open to persons who opposed the granting of a patent. He hoped that in Committee, the Compulsory Licensing Clause would be so extended as to entitle every one, on proper payment, to practise any invention.

Question put, and *agreed to.*

Bill read a second time.

Motion made, and Question proposed, "That the Bill be committed to the Standing Committee on Trade, Shipping, and Manufactures."—(*Mr. Chamberlain.*)

LORD RANDOLPH CHURCHILL said, he hoped he should not be thought too pertinacious, if he ventured to bring before the House the question which had been somewhat discussed before the dinner hour—namely, the extent to which the principle of the Bill might be involved in the Motion to refer it to a Standing Committee. If he might be allowed to do so, he would venture to press Mr. Speaker on this point for some ruling, or, at any rate, indication of his opinion as to what the procedure of the House ought to be in this matter. It was quite clear that, in reference to the Bankruptcy Bill, the Court of Criminal Appeal Bill, and the Criminal Code (Indictable Offences Procedure) Bill, it was in the mind of the House before they were read a second time, that it was the intention of the House to refer them to the Standing Committees. That being so, he (Lord Randolph Churchill) understood that the discussion of those Bills, on the Motion to refer them to the Standing Committees, would have been a breach of the Rules of the House. But the House might have no knowledge beforehand—that was, before the second reading—of the intention of the Government to refer a Bill to a Standing Committee. In that case, it would be a great hardship on the minority to be precluded, by the ruling which Mr. Speaker had given that evening, and which would undoubtedly have great authority with the House in future, from discussing the principle of the Bill proposed to be referred to a Standing Committee, which Bill had not been proposed to be so referred before the second reading. He was not in the least supposing that the present Government would, in any way, take advantage of the House in this matter; but it was impossible to foresee what might be done by future Governments; and, therefore, it was of the highest importance that a Rule with regard to it should be laid down now. He would put a case to the Prime Minister. Supposing that Her Majesty's Government had proposed last year to refer the Prevention of Crime Bill to a Standing Committee, and the ruling referred to had been in force, it was perfectly obvious that it would have been in the highest degree intolerable to Irish Members to be prevented from discussing the principle of that Bill on the Motion to refer it to a Standing Committee, if they had no previous Notice that such Motion would be made. Therefore he asked whether it would not be convenient and regular that, whenever a Motion was made by the Promoter of a Bill that it be referred to a Standing Committee, unless Notice of that Motion were given before the Bill was read a second time, the principle of the Bill might be discussed on the Motion to refer the Bill to a Standing Committee? In the absence of any declaration from the Chair upon this point, he certainly anticipated the greatest possible inconvenience in connection with Motions to refer Bills to the Standing Committees.

Mr. SPEAKER: Since the Standing Order relating to Standing Committees has been in operation, four Bills have been referred to the Standing Committees. In each of those cases, Notice has been given by the Member in charge of the Bill, before the second reading, of his intention after the second reading to move that it be referred to a Standing Committee. It appears to me that that course is proper and convenient; and, if the House think fit, I will, so far as my influence goes, endeavour to see that it is carried out.

Mr. GLADSTONE: Sir, I rise, not only in deference to your authority, but because I think the demand of the noble Lord is perfectly fair and reasonable, to say that, on the part of Her Majesty's Government, I will engage, without introducing fresh Rules on the subject, that Notice shall be given, before the second reading of any measure, of the intention to move that it be referred to a Standing Committee, in order that hon. Members may have a perfect knowledge of the course to be pursued.

Mr. GIBSON said, it was regarded as a matter of course that the Prime Minister would at once assent to the very reasonable suggestion, that Notice of the intention to move that a Bill be referred to a Standing Committee should be given before the second reading. The present proposal was so reasonable that it had only to be stated to be accepted. He had no objection to refer this Bill to the Standing Committees, and he ventured to say that, as there had been no surprise, there was no objection to this being done in any part of the House; but he would like to reserve distinctly the point, as a Member of the House, that even after the Notice was given that a Bill was to be referred to a Standing Committee, such Notice did not of itself, being put down by a Member in charge of a Bill, give the right of carrying the Bill to a Standing Committee. It was competent for the House, on a Motion to refer a Bill to the Standing Committees, to indicate, without going unduly into the Bill, or discussing the principle upon which the Bill was founded, to indicate that there were objections to its being referred, and that having regard to the principle itself, and to the many important clauses in the Bill, the House was bound to keep them within its own cognizance, and not hand the consideration of them over to any other body whatever. It would otherwise be impossible to discuss the Motion. The Motion was made by the Minister in charge of the Bill, of course, with Notice, to refer it to a Standing Committee, and anything like a surprise or trick was out of the question; but, putting that aside, his point was, that the Minister in charge having moved that the Bill be referred to a Standing Committee, that was a Motion which those who objected to it should have the right to contest by substantial argument. The only way to do that was to point out that the Bill itself, its principles, and its clauses were of such a character that, without again disputing what the House had just affirmed on the second reading, the House must keep the principle and the clauses within its own dominion and not hand them over to anybody whatever. He (Mr. Gibson) thought it essential to guard the rights of the House in this respect, and there were many hon. Members who felt exactly as he did.

Mr. DODSON said, he thought it undesirable, at that hour of the night, to open a debate upon Procedure. The right hon. and learned Gentleman (Mr. Gibson) seemed to be of a different opinion; but he (Mr. Dodson) could not agree with the right hon. and learned Gentleman, and he hoped the House would not. In answer to the right hon. and learned Gentleman, he wished to point out that it had been distinctly intimated from the Chair, and, as he believed, distinctly understood by the House, that exactly the same opportunity would be given for questioning whether the Bill should be referred to a Standing Committee on the Motion of the Member in charge to so refer it, as was now afforded for discussing a Motion that a Bill should be referred to a Select Committee.

Mr. GIBSON said, he thought there was no analogy between the two cases referred to by the right hon. Gentleman.

Mr. DODSON said, he ventured to agree with what had been stated by several hon. Members earlier in the evening—that the analogy was an exceedingly good one. The discussion would proceed, subject to the ruling of the Chair, in the same manner as on a Motion of reference to a Select Committee. Moreover, in both cases, when the Bill was reported from the Committee, there would be an opportunity of fully discussing it on its consideration as amended, an opportunity which was no longer given in the case of a Bill reported from a Committee of the Whole House. Then the right hon. and learned Gentleman seemed to think that there ought to be some power in the House to reserve some of the clauses. [Mr. Gibson: No!] Then he had not correctly understood the right hon. and learned Gentleman; but he wished to remind him of this—that, by what had fallen from the Prime Minister and from the Speaker, the House had received an assurance that Notice would always be given of an intention to move the reference of a Bill after its second reading, to a Standing Committee. Therefore, the House would debate the Bill on the second reading with a full knowledge of what was to follow.

*Mr. Gibson*

Mr. SCLATER-BOOTH said, he perfectly agreed that that was not a very convenient time to discuss Procedure; but the House was now at the beginning of a period when these experiments were being tried, and it was important that hon. Members should understand what they were about. He must point out that no Bill was ever referred to a Select Committee, except by previous agreement on both sides. He thought the present stage of the Bill was a reasonable stage upon which to allow the consideration of what was a serious dispute on a question of propriety.

Mr. GORST said, it appeared to him that, after the explanation of the Prime Minister, and the ruling from the Chair, the House had every reason to be satisfied with the present safeguards in regard to this matter. He understood that the practice observed in regard to all the four Bills referred to Standing Committees would be maintained, and that the House had every assurance they had a right to require, and that no injustice or inconvenience would arise because they would be able to discuss the principle of a Bill upon its second reading with the full knowledge that it was intended to propose to refer it to a Standing Committee. If there was any serious objection to so referring it, that narrow question could be discussed.

Mr. WARTON said, it would be within the recollection of the House that, during the Autumn Session, he had asked the Prime Minister to state what were the Bills which he intended to refer to the Standing Committees in order to try the new experiment. The right hon. Gentleman had mentioned exactly those Bills which had been already referred to Grand Committees; so that, so far as this Session was concerned, the Prime Minister's statement would not be of practical use, because they had now got to the end of the list of Bills which he had pledged himself should alone be referred to Grand Committees. With regard to future Sessions, the right hon. Gentleman the President of the Board of Trade seemed to wish to silence discussion on important points; and he (Mr. Warton) felt that evening that one of the privileges of the House had somehow slipped away—namely, the privilege of discussing a Bill on what was called the principle. He did not much complain of any of the Bills being referred to Grand Committees, except, perhaps, one, of which he defied anyone to name the principle. That was the Criminal Code (Indictable Offences Procedure) Bill, through which there ran nothing that could be called the principle of the Bill. That Bill contained one provision which he (Mr. Warton) thought worthy of a long debate — namely, the provision under which a man could be called upon to defend himself upon examination. That might be right, or wrong; but, in future, the House must be on their guard, because they would know that even on a long Bill containing a great number of clauses, and with a novel procedure introduced, they would be powerless to discuss it.

MR. J. G. TALBOT said, that, like his right hon. Friend (Mr. Sclater-Booth), he also agreed that that was not a convenient moment for a discussion on Procedure; but he also thought it desirable, if they were to enter, as they seemed about to do, on this new plan of referring Bills to Standing Committees they should know exactly what that meant in the way of shortening the stages of Bills. He could not help thinking that the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. Dodson), in the analogy he drew between referring Bills to Select Committees and to Standing Committees, had fallen into this error—he treated the matter as if the House had the same opportunities, in the case of Standing Committees, as in the case of Select Committees. Surely, that was not so. When a Bill was referred to a Select Committee, it came down again and was referred to the Committee of the Whole House, and upon that being proposed any hon. Member could move that the House should go into Committee "that day six months." Therefore, the whole principle of the Bill could be discussed afresh on the Motion to go into Committee; but, as to Standing Committees, that opportunity was entirely lost. He did not say the House was not prepared to abandon that stage, but there was a distinct diminution of the stages of a a Bill in the case of its being referred to a Standing Committee. That seemed to him to be a proposition which was beyond dispute.

SIR H. DRUMMOND WOLFF said, he believed it would be perfectly competent, when a Motion was made to refer a Bill to a Standing Committee, for any hon. Member to move that it be referred to such Committee "that day six months." He did not see that there was any difference between that and the case of referring a Bill to the Committee of the Whole House; but he wished to ask for the Speaker's ruling upon that point.

MR. SPEAKER: That would not be a regular Parliamentary method, and such an Amendment could not be moved on the Motion to refer a Bill to a Standing Committee.

Question put, and *agreed to.*

Bill *committed* to the Standing Committee on Trade, Shipping, and Manufactures.

## PREVENTION OF CRIME (IRELAND) ACT (1882) (AUDIENCE OF SOLICITORS) BILL.—[BILL 61.]

(*Mr. Findlater, Mr. Dodds, Mr. Gregory, Mr. Givan.*)

### COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Findlater.*)

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Lord Randolph Churchill.*)

MR. FINDLATER said, this Bill had already been before the House, and was simply intended to remedy an omission in the 19th section of the Prevention of Crime Act, in regard to the right of solicitors to practice before Investigators and other officials on the hearing of inquiries.

Question put, and *negatived.*

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 *agreed to.*

Clause 2 (Parties may be heard by their Solicitors), read a first time.

Motion made, and Question proposed, "That the Clause be now read a second time."—(*Mr. Findlater.*)

LORD RANDOLPH CHURCHILL said, the hon. Gentleman in charge of the Bill (Mr. Findlater) must see it would be most unreasonable to press the Bill at that hour of the night (1 o'clock). There was not a single Irish Member who understood the Bill present, and no explanation of its provisions had been made. Under the circumstances, he could not imagine that the Committee would legislate on a matter of such importance, and, therefore, he moved that Progress be reported.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Lord Randolph Churchill.*)

The Committee *divided*:—Ayes 7; Noes 48: Majority 41.—(Div. List, No. 61.)

Question again proposed, "That the Clause be now read a second time."

SIR H. DRUMMOND WOLFF said, it was really too bad to force the Bill through at that time of the night. It was a Bill which ought to be well considered by Irish Members, and to admit of it he begged to move that the Chairman do now leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Sir H. Drummond Wolff.*)

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he could not think that the hon. Gentleman the Member for Portsmouth (Sir H. Drummond Wolff) was in earnest. The principle of the Bill was explained on the second reading, and no objection was raised. The simple object of the Bill was to remedy an inconvenience arising from the provisions of the 19th section of the Prevention of Crime Act passed last year. That was the section of the Act which enabled inquiries to take place in cases of agrarian outrages, with a view to compensation being given to the victims or their representatives; and, at the end of the clause, it was provided that the parties might be heard personally or by counsel. It was omitted to say "or by solicitor." The Committee would see that, in many districts, it would be impossible to get counsel, unless at very great expense. It was, therefore, necessary that the parties should be allowed to appear by solicitor, and this Bill was brought in with that object. There were only two clauses in the Bill, and he could not understand why a solicitor should not be allowed to plead as well as counsel.

LORD RANDOLPH CHURCHILL said, he was glad to receive the explanation from the hon. and learned Gentleman the Attorney General, because it only made him more determined in his opposition. The Bill was brought forward by an hon. Member who might be designated an Ulster Whig, and any Bill proceeding from that quarter of the House in which the hon. Member sat ought to be received with great hesitation. The hon. and learned Gentleman the Attorney General had said the Bill was intended to remedy a slight error in the Prevention of Crime Act passed last year, or, in other words, to allow solicitors to practise before the Courts of Inquiry in cases of applications for compensation for agrarian outrages. There were no more grave or difficult inquiries carried on in Ireland, and none which more required practised legal advice, than the inquiries in question. To allow any local attorney in Armagh, or any other town in Ireland——

MR. J. N. RICHARDSON said, he begged the noble Lord's pardon. Armagh was a city.

LORD RANDOLPH CHURCHILL, continuing, said, that the cases brought before the Courts of Inquiry were of such a nature that any pettifogging solicitor ought not to be allowed to practise before them. He objected to the Bill on general grounds. It was well known that the hon. and learned Attorney General had, for some time, allowed solicitors to carry off all the practice of the Bar. It was becoming one of the most crying grievances of the juniors of the Bar, with whom, he believed, the hon. and learned Gentleman did not sympathize, that solicitors were monopolizing and carrying off their practice. He hoped the Committee would not allow the Bill to proceed at that disgracefully late hour of the night.

Mr. R. N. FOWLER said, the hon. and learned Gentleman the Attorney General had told the House that the Bill was one which ought to be passed. If it was a Bill which ought to be passed, why did he not bring it in himself? It appeared to him (Mr. R. N. Fowler) that the Bill was of such a character that it ought to have been brought in by the Attorney General or by the Attorney General for Ireland, and not by a private Member; and, on that ground, he (Mr. R. N. Fowler) should support the Motion proposed by his hon. Friend (Sir H. Drummond Wolff).

Mr. T. D. SULLIVAN said, it was a strange thing that, when the Prevention of Crimes Act wanted patching up, its authors intrusted the job to a private Member.

Sir H. DRUMMOND WOLFF said, he agreed with the hon. Gentleman (Mr. T. D. Sullivan). It was remarkable that the Government should not have taken the responsibility of the Bill upon themselves, but should shunt it on some composite Gentlemen behind them. It appeared to him that if great measures, such as the Prevention of Crime Act, were to be altered, they should be altered on the responsibility of the Government. Why did not the hon. and learned Attorney General bring forward the Bill? Because, no doubt, he did not thing it worth while.

Mr. HENEAGE rose to Order, and asked whether it was competent for the hon. Gentleman opposite (Sir H. Drummond Wolff) to speak twice on the same Motion?

The CHAIRMAN said, he considered the hon. Member for Portsmouth (Sir H. Drummond Wolff) was quite in Order.

Sir H. DRUMMOND WOLFF said, it would be wise for the hon. Gentleman (Mr. Heneage) to reflect before he interrupted again. The Bill might be insignificant in itself, but, by it, it was sought to amend an important Act passed last year, after a long and acrimonious discussion; and, therefore, it ought to be introduced upon the responsibility of the Government. He must persist in the Motion he had made, and he trusted the Committee would assist him in demanding that the Bill should be taken at an earlier hour of the night, or not until it was actually patronized or espoused by the Government.

Question put, "That the Chairman do now leave the Chair."—(*Sir H. Drummond Wolff.*)

The Committee proceeded to a Division, and, the Question being put the second time—

The CHAIRMAN stated that he thought the Noes had it, and his decision being challenged, he directed the Ayes to rise in their places.

Lord RANDOLPH CHURCHILL: May I rise to Order? ["No, no!"] It cannot be done, except on the Motion for adjournment.

The CHAIRMAN: I have called on the hon. Members who challenge my decision to rise in their places.

Seven Members only having risen, the Chairman declared the Noes had it.

Clause *agreed to.*

Remaining clause *agreed to.*

House *resumed.*

Bill *reported,* without Amendment; to be read the third time *To-morrow.*

## CROWN LANDS BILL.

Order for Committee read, and *discharged*:—

*Ordered,* That the Bill be referred to a Select Committee of Five Members, Three to be nominated by the House, and Two by the Committee of Selection.

*Ordered,* That all Petitions against the Bill presented two clear days before the meeting of the Committee be referred to the Committee; that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against the Bill, and Counsel heard in support of the Bill.

*Ordered,* That the Committee have leave to send for persons, papers, and records.

*Ordered,* That Three be the quorum.

## COURT OF CRIMINAL APPEAL [PAYMENT OF COSTS].

*Considered* in Committee.

(In the Committee.)

*Resolved,* That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of any costs of prosecution or defence which may be incurred under the provisions of any Act of the present Session for establishing a Court of Appeal in Criminal Cases.

Resolution to be reported *To-morrow,*

## *MOTIONS.*

### CHANNEL TUNNEL—THE JOINT COMMITTEE.—RESOLUTION.

Motion made, and Question proposed,

"That the Five Members of this House to be appointed to serve on the joint Committee of Lords and Commons on the Channel Tunnel be nominated by the Committee of Selection."—(*Mr. Chamberlain.*)

LORD RANDOLPH CHURCHILL said, he should like the right hon. Gentleman the President of the Board of Trade (Mr. Chamberlain) to give the House some explanation of the change which had taken place in his mind on this subject. The selection of Members to serve on Committees of this kind was usually made by the House, and he should like to know why it was now proposed that it should be made by the Committee of Selection? The policy of the Government throughout in regard to this Channel Tunnel question had been most curious.

MR. CHAMBERLAIN said, he had not the slightest objection to gratify the curiosity of the noble Lord. He had proposed that the Committee should be selected by the House; but, on communication with the Representatives of the Opposition, he found that they were not prepared to nominate their proportion from the Conservative side of the House, and, of course, a selection to which the Opposition were not parties would be one-sided. The right hon. Gentleman the Leader of the Opposition (Sir Stafford Northcote) had then suggested that it would be right to leave the nomination of the Committee to the Committee of Selection, and the Government, not considering the point a very important one, had deferred to the view of the right hon. Gentleman.

SIR WILFRID LAWSON: Is it possible to move an Amendment to this Motion?

MR. SPEAKER: It is perfectly competent for the hon. Baronet to do so.

SIR WILFRID LAWSON: Then I would move that no military man be put on the Committee, and I would give as my reason for that, that a Committee of military authorities have already reported on the matter. We have the opinion of military men.

MR. SPEAKER: The hon. Baronet cannot move an Instruction to the Committee of Selection without Notice.

SIR WILFRID LAWSON: Shall I have another opportunity of moving this Instruction?

MR. SPEAKER: The hon. Baronet will be precluded from making the Motion if the House should see fit to pass the Resolution to-night.

Original Question put, and *agreed to.*

*Ordered,* That the Five Members of this House to be appointed to serve on the joint Committee of Lords and Commons on the Channel Tunnel be nominated by the Committee of Selection.

### DRAINAGE (IRELAND) PROVISIONAL ORDERS BILL.

On Motion of Mr. COURTNEY, Bill to confirm certain Provisional Orders under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same, *ordered* to be brought in by Mr. COURTNEY and Mr. TREVELYAN.

Bill *presented,* and read the first time. [Bill 144.]

House adjourned at half after One o'clock.

## HOUSE OF LORDS,

*Tuesday,* 17*th April,* 1883.

MINUTES.] — PUBLIC BILL — *Committee* — *Report*—Bills of Sale (Ireland) Act (1879) Amendment (29).

### ARMY (INDIA)—SURGEON-MAJOR THORBURN.

QUESTION. OBSERVATIONS.

LORD TRURO, in rising to call attention to the case of Surgeon-Major Thorburn, and to ask Her Majesty's Government, Whether it is true that, notwithstanding a court of inquiry at Lucknow completely exonerating him from a charge of turf irregularity, the Commander-in-Chief in India held that, in his opinion, the same evidence confirmed a previous adverse decision of a Calcutta racing club, and ordered him to England, refusing to grant a court martial; and whether, upon the matter being referred to the military authorities at home, a court martial was again refused, and Dr. Thorburn forced to retire, while presented with a gratuity of £2,500, with the alternative of removal from the service; and whether any other acts of civil or military misconduct than that referred to were the real grounds upon which this determination was arrived at? said, he brought this matter forward with considerable pain and distress—pain, because he had undertaken to say some words in justification of a man who, he believed, had been grievously injured; and distress, because he knew he was to be opposed by one of the most formidable Departments of the State. But he congratulated himself that he was to be answered by the noble Earl below him, whose ability, if he would allow him to say so, was only surpassed by his ingenuousness, and that had relieved him of considerable embarrassment. He felt that the House of Lords did not like to hear personal matters, and considered that they should be left to the Departments; and it was only because he was convinced that Surgeon-Major Thorburn had been harshly dealt with that he was induced to bring the case before their Lordships. Surgeon-Major Thorburn had been for 18 years and a-half a medical officer in the Army; he served in Ireland for some years, and in India for 11 years, and during the whole of that time there was not a complaint of any description against him, while his service in India was commended. Having some knowledge and experience of horses, he engaged in the agreeable pastime of racing. For many years, and up to the period to which he (Lord Truro) was about to allude, Surgeon-Major Thorburn was unsuccessful, and lost about £2,000. It seemed that he purchased a pony named "Modesty," an Arab of great speed, standing 13 hands, and which was sold to him with the character of "a rogue." The pony, which was sometimes disinclined to go, was bought for the purpose of steeplechasing, and on the 12th of August, 1881, it was entered for two steeplechases, each two miles in length, with 16 jumps, the pony to carry 11 stone. In the first the pony jumped the fence, but on the wrong side, and consequently was thrown out of the running, Surgeon-Major Thorburn losing a large sum of money. It was supposed at first that this was intentional; but it eventually turned out that, as the owner had lost money, there could be no suspicion of unfairness. In the second race he was successful, but came in much jaded. On the following day the animal was engaged to run again in flat races, and Surgeon-Major Thorburn, seeing the condition it was in, determined not to back it. In that race 13 horses were to run, and there were two especial favourites among them. Surgeon-Major Thorburn had backed those horses, and was in the belief over night that there was no reasonable chance of his own horse winning. Two gentlemen—one of them a Mr. Watson, and the other a Native gentleman—came to him and proposed that he should put money on his own horse for the purpose, as he (Lord Truro) was instructed, of inducing people to believe that he expected it to win, one of the gentlemen also suggesting that his own jockey should ride the horse. Surgeon-Major Thorburn, of course, refused to entertain either proposal. On the following morning he found his pony in a better condition than he had expected, and therefore put £75 upon it, and £85 and £110 respectively on the other two. He not only put money on his own horse, but wrote a letter to a private gentleman, Mr. Wills, asking him to ride instead of his own jockey, and that gentleman declined because he had not his breeches and boots with him. Surgeon-Major Thorburn, anxious to obtain his services, asked him to do without his breeches and boots, to tie his trousers tightly round his legs, and ride in that way. Mr. Wills, however, being somewhat of a sporting character, declined to do this, and the matter came to an end. The race was run, and "Katie" won by a head. There were counter-statements as to what took place immediately after the race. The statement of Surgeon-Major Thorburn was that the two gentlemen he had alluded to, and who were disappointed, immediately ran up to the president of the meeting, General Cureton, and said—"What do you think of that?" by which they meant that the horse had been pulled. The General sent for the jockey, and asked him what instructions he had received from his master. He replied—"I was to romp along, and win if I could." He subsequently repeated that answer, when further inquiry was made, No other evidence, as far as he (Lord Truro) had been able to ascertain, was taken on that occasion; but the jockey was there and then suspended from riding on the course for a year. On the following morning, which was Sunday, during the hours of Divine Service, between 10 and 12, the stewards of the race meeting met to consider the reflection, if not the imputation, that had been cast upon Surgeon-Major Thorburn, the master of the pony "Modesty." Those gentlemen must have known that any decision they came to on the matter would not only affect his title to racing in future, but might ruin for life the character of Surgeon-Major Thorburn. It was surely reasonable, therefore, to inquire whether those who sat in judgment on Surgeon-Major Thorburn were entirely free from prejudice; and he was sorry to say it was clear beyond all doubt that there was a strong and bitter animus against him. The first member of that turf meeting was General Cureton, who had previously inflicted a fine upon Surgeon-Major Thorburn, which he had refused to pay, and which was afterwards remitted. The next member of the meeting was Colonel Wood, a personal friend of General Cureton, who afterwards stated that when he saw the horse "Modesty" jump out of the course in the steeplechase he was under the impression that Surgeon-Major Thorburn had won a large sum of money by it, and that he was determined to watch closely what took place in the race on the following day. The third member of the meeting gave evidence on a subsequent occasion to the effect that he saw the horse's head pulled round to the jockey's boot; and the fourth, Colonel Harris, who had acted as judge in the race, stated that he was so intent on judging the race that he saw nothing whatever. Could it then be said that those gentlemen were unprejudiced? Surgeon-Major Thorburn was invited to attend the meeting; but he stated that the words in which he was asked to do so by the secretary were to the effect that he could come if he liked, but that there was no necessity for him to do so. Consequently, he was not present at the meeting, and the stewards gave judgment in his absence, upon the evidence of Mr. Watson and the Native gentleman; and upon their evidence alone this gentleman was suspended from racing upon the Lucknow racecourse, and had been driven from the Service. Upon hearing of the judgment of the stewards, Surgeon-Major Thorburn went to a Civil Commissioner, named Sparks, whose duties being wholly judicial was, he (Lord Truro) thought, hardly a proper person to be a member of a Turf Club, and stated the condition of things, making a distinct application to be examined. Such were the proceedings before the Lucknow Turf Club, and a statement was drawn up for the Calcutta Club. The only evidence presented to that Club was that he had just mentioned. The words "and win if I can," in the orders given to the jockey, were suppressed, as was also the application to Mr. Wills to ride. The Calcutta Club sent for more evidence, and a statement was then drawn up by General Cureton, unaccompanied, however, by any fresh evidence, and the Club refused to act upon that. A month then elapsed during which the Lucknow Club endeavoured to collect evidence, and obtained seven letters containing statements prejudicial to Surgeon-Major Thorburn which he never saw, and the Calcutta Club at last confirmed the judgment. He afterwards learned at Calcutta, from the secretary of the Club, that the judgment would have been in his favour had not one member of the Calcutta Club recommended that the matter should be referred back to the Lucknow stewards. The judgment of the Lucknow stewards was not signed, but they sent a list of 13 stewards, and stated that their judgment had been unanimous, leaving the Calcutta Club to suppose there had been a judgment of 13 stewards against Surgeon-Major Thorburn. General Cureton sought to move Dr. Clutterbuck—the Deputy Surgeon-General—to make a representation to the Commander-in-Chief, but Dr. Clutterbuck said he did not consider there was sufficient evidence to convict Dr. Thorburn; but if he—the General—who knew the *pros* and *cons* of the matter, thought there was enough to make a communication upon, he should do so, being "the king of discipline there." Some two months after this a communication was made by Dr. Crawford, the Surgeon-General, to the Commander-in-Chief, in which he said that in the course of his tour of inspection, representations had been made to him which made it desirable for him to furnish a report. Dr. Crawford's communication was accompanied by a statement, at the bottom of which, but without any marks to disconnect it, was a copy of the decision of the Calcutta Turf Club, signed by the secretary, the whole document appearing to be one composed at Calcutta, whence it was dated and addressed, and to be in its entirety the Turf Club's report or summing up. Was that a genuine document and was it drawn up at Calcutta? Was the whole of that document the decision of the Turf Club? It was not. Dr. Crawford himself wrote a portion of it, which was composed at Lucknow, while it was calculated to lead the Commander-in-Chief to suppose it had emanated from the Calcutta Turf Club and was signed by them. Soon after this Surgeon-Major Thorburn earnestly applied for a court of inquiry, a court which he might remind their Lordships sat for the purpose of ascertaining facts. This court was presided over by five officers, who, no doubt, endeavoured to discharge their duties to the best of their ability. Witnesses were called, 15 on the one side and 20 on the other. General Cureton himself was examined, and the prosecution was conducted by the Deputy Judge Advocate, who stayed with General Cureton during the trial. The evidence given was of a most contradictory character, and Surgeon-Major Thorburn was not permitted to cross-examine some of the witnesses. Surgeon-Major Thorburn proved by the evidence of a coolie that he had sent a letter to General Cureton, who looked at the superscription and refused to take it. General Cureton had denied ever having received it. Major Nesbitt was asked which horse was pulled, and he replied the horse nearest the ropes. He was then asked which horse won, to which he replied he did not know until the numbers went up. There were no numbers. He was asked what was the colour of the winning horse, and he answered it was a bay mare. "Modesty" was a chestnut horse. All the officers gave different accounts of the transaction, one saying that the horse was pulled to the left, another to the right, another that the horse's head was pulled round to the rider's boots, while a fourth admitted that he knew nothing about it. From the evidence at Lucknow it appeared that Surgeon-Major Thorburn's name was shown on the lottery books as having won money by the race. This, however, was not the case. Was it credible that this man was to be ruined on evidence of that kind, when the secretary of the Turf Club had admitted, in cross-examination, that what he first stated in regard to a money charge was incorrect? After the proceedings were over Surgeon-Major Thorburn came to England, and naturally went to the head of the Medical Department. Dr. Crawford, who had also returned home, advised him to retire. He answered that he had no intention of retiring. At a later interview he was told that if he did not retire voluntarily, with 15*s.* a-day for life, he would very likely be compelled to retire with nothing at all. Subsequently he decided to retire, and was informed that he would receive a gratuity of £2,500 in lieu of 15*s.* per day. If he did not, he would be dismissed the Service without anything. He accordingly retired, and took the gratuity. That was the position of Surgeon-Major Thorburn, and he had solemnly resolved to appeal to their Lordships' House, to the Press, and to the public, in order that justice might be done him. Although he had accepted the gratuity, he would never cease in the attempt to vindicate his character. That was the case he had to lay before their Lordships, and he trusted that he should receive a satisfactory answer from the noble Earl below him.

**Lord STANLEY of ALDERLEY** said, although he had no knowledge of Surgeon-Major Thorburn except from the statement of the noble Lord, and from some papers sent to him the day before, he considered that there should be further inquiry, and that the noble Earl the Under Secretary of State would not do justice to Surgeon-Major Thorburn unless he showed who it was that had sent the Commander-in-Chief the fictitious document, purporting to come from the Calcutta Turf Club.

**The Earl of MORLEY** said, he was quite certain that their Lordships, in common with himself, would give full credit to his noble Friend (Lord Truro) for a desire to see justice done in this case. The noble Lord believed, from representations made to him, that an officer had been unjustly dealt with, and he desired to get that injustice removed. But he would point out that the noble Lord had admitted himself that he was making a purely *ex parte* statement, and he mentioned that he only said what he was instructed to say. The noble Lord was, in fact, acting the part of counsel for the defence. Though he was aware that their Lordships' House was the highest Court of Appeal in the Realm, he scarcely thought it would consent to revise the decision given by various bodies connected with racing in India or that of the highest military authorities both in India and at home. For that reason he did not intend to follow the noble Lord's example and act the part of counsel for the prosecution. The noble Lord had not quite accurately stated the facts. They were as follows:—At the Lucknow races, on the 13th of August, Dr. Thorburn was accused of having caused a certain pony to be pulled. He was not going into all the details of that matter. All they knew was the the stewards of the Lucknow racecourse found him guilty of the misconduct imputed to him, and when the matter was referred to the Calcutta Turf Club, which occupied a similar position in India to the Jockey Club here, they confirmed the decision. Dr. Thorburn was aware of the decision in the middle of October. What course was then open to him? The Queen's Regulations laid down that every commissioned officer, whose character or conduct was publicly impugned, must submit the case within a reasonable time to his commanding officer or other competent military authority for investigation. Dr. Thorburn, however, did nothing until the matter was brought before the Commander-in-Chief in January. Then came an episode to which he must refer, because it reflected on a distinguished officer, now Director-General of the Medical Department—Dr. Crawford. When he was on a tour of inspection he found that this case had caused considerable scandal at Lucknow, and he considered it his duty to bring the matter to the knowledge of the Commander-in-Chief. He sent to the Commander-in-Chief a statement of the allegations made against Dr. Thorburn. The noble Lord who preceded him had, he believed, found nothing but a mare's-nest in hinting that this document was a forgery. It was simply a statement of allegations, and at the end of it there was a statement, headed—"Decision of the Calcutta Turf Club." This was signed by the secretary of the Turf Club, and there was no other signature to the document, which was enclosed by Dr. Crawford in his letter to the Commander-in-Chief. Dr. Crawford had no intention whatever of leading anyone to believe that the whole of that document was the report of the Calcutta Turf Club, and the Commander-in-Chief was not in the least deceived on the matter. After the Commander-in-Chief became acquainted with the facts he applied to General Cureton, and then referred to Dr. Thorburn. Dr. Thorburn then for the first time, in the month of March, five or six months after the races at Lucknow, wrote a long letter impugning the impartiality, and he might say the honesty, of the gentlemen who sat on the case—namely, the stewards of the racecourse at Lucknow and the Calcutta Turf Club. The Commander-in-Chief in India became of opinion that further inquiry was necessary, and a court of inquiry assembled at Lucknow in the month of June. The noble Lord asked whether it was true that, notwithstanding a court of inquiry at Lucknow completely exonerated Dr. Thorburn from a charge of turf irregularity, the Commander-in-Chief held that, in his opinion, the same evidence confirmed a previous adverse decision of the Calcutta Racing Club? The noble Lord had answered that question himself, for he stated, and stated rightly, that a court of inquiry had no judicial function whatever. If it expressed an opinion as to his guilt or innocence, it would be guilty of a great irregularity. The only function of the court of inquiry was to collect evidence on which the military authorities might arrive at a decision. It would be impossible for him to weary the House by going over the arguments of the noble Lord, or for their Lordships to act as a Court of Appeal to revise the decision given by more than one authority of the highest position. It was sufficient for him to say that the evidence taken by the court of inquiry, after having been carefully analyzed and summed up by the Judge Advocate General in India, was passed on to the Commander-in-Chief, who considered the case very carefully, and the result of the evidence on his mind was that, although it was not absolutely conclusive, it confirmed the sentences already pronounced by the stewards of the Lucknow racecourse and the Calcutta Turf Club. That ended the matter in

India. Dr. Thorburn's time for retiring from service in India came, and the Commander-in-Chief, when he went home, communicated with His Royal Highness the Commander-in-Chief in England to the effect that the court of inquiry had not removed the imputation which the sentence of the Calcutta Turf Club left on his character, and asking His Royal Highness whether he was not of opinion that it was advisable Dr. Thorburn should leave the Service. The Commander-in-Chief in India, holding one of the highest and most responsible positions in the British Army, must receive credit for absolute fairness and impartiality; and it would be very difficult for their Lordships to impugn the justice of the verdict he gave after reading the evidence taken by the court of inquiry, as analyzed and summed up by the Judge Advocate General in India, and after seeing the proceedings of the Calcutta Turf Club. Dr. Thorburn returned home in October last. The first thing he did was to see the Director General of the Army Medical Department, Dr. Crawford. There was a great divergence between the account given to him by Dr. Crawford of what had passed at that conversation and the account of it given by his noble Friend. It was, of course, impossible for him to say absolutely which of the two accounts of the interview was correct. He was informed by Dr. Crawford that he had particularly guarded himself from expressing any opinion on the guilt or innocence of Dr. Thorburn, but that in reply to the question whether there was anything against his professional character he said distinctly "No." There must have been, he thought, a misunderstanding in Dr. Thorburn's mind as to what Dr. Crawford had stated. Dr. Crawford gave no opinion as to the effect which the various inquiries had on Dr. Thorburn's character and honour. It was true that Dr. Crawford, when his advice was asked, did advise Dr. Thorburn to retire. The latter was, however, under a misapprehension as to the terms on which Dr. Crawford said he would advise him to do so. Under the New Warrant, he could not be permitted to retire on half-pay; but as he had had 18 years' service he was entitled, in the ordinary course of things, to retire with a gratuity of £2,500. On those terms he retired, and a few days afterwards he applied to be allowed to cancel his retirement. The Illustrious Duke on the Cross-Bench declined to allow that, and their Lordships, he believed, would think that His Royal Highness had not acted unwisely or unjustly in taking that course. Mr. Childers, then Secretary of State for War, also went most fully and carefully into the case, and came to the distinct conclusion that Dr. Thorburn should not be allowed to revoke his application to retire. Shortly afterwards, Lord Hartington succeeded Mr. Childers at the War Office, and again Dr. Thorburn applied to have that decision reversed. The new Secretary of State went fully into the case, and determined to uphold the decisions of his Predecessor and of the Illustrious Duke. That was a very painful case; and he much regretted, in the interest of Dr. Thorburn, that his noble Friend, with however admirable a motive, had thought fit to bring it before their Lordships. The case had been investigated several times in India; Dr. Thorburn had failed to remove the suspicion cast upon him; and it was against the decision which had been confirmed by the Illustrious Duke and two successive Secretaries of State that he now complained.

The Duke of RICHMOND and GORDON asked, whether the court of inquiry went behind the whole matter and re-heard all the charges that were made against Dr. Thorburn, before the decision of the Lucknow Turf Club, and whether they were convinced that he was guilty of "pulling" his horse in the race referred to?

The Earl of MORLEY said, that the court of inquiry went fully into the case from the beginning. They expressed no opinion upon it, but merely collected evidence for the Commander-in-Chief in India to give his decision upon.

The Duke of RICHMOND and GORDON wished to know whether they were satisfied that the Lucknow Turf Club were justified in the judgment it had passed on the case?

The Marquess of SALISBURY asked who had given the opinion on which Dr. Thorburn had been disgraced?

The Earl of MORLEY said, that noble Lords appeared to be under a misconception as to the nature of courts of inquiry. They were not a judicial body at all. According to the regulations under which they were constituted, they had no judicial power. They were, in strictness, not courts at all, but only a means of collecting evidence which was afterwards summed up by the Judge Advocate General, and then sent to the Commander-in-Chief for his decision.

## METROPOLIS—ST. JAMES'S PARK.

### QUESTION.

**The Earl of BELMORE** asked Her Majesty's Government, Why spiked iron railings had been erected across St. James's Park from the Marlborough House entrance to opposite Queen Anne's Gate, and why the gates are closed at 7 o'clock, instead of the hour specified on the notice-boards at the entrances to the Park?

**Lord SUDELEY**, in reply, said, that complaints had been frequently received, both from Members of Parliament and the clergy of Westminster, as to the immoralities which went on after dark in the enclosures, which were also represented to be unsafe. The First Commissioner of Works and the Illustrious Duke, the Ranger, consulted together, and agreed to shut up the enclosures after dark; but, to meet the convenience of the public, they determined to leave open all night, properly policed, railed off, and lighted, the road between Marlborough Gate and Queen's Anne's Gate. Unfortunately, the old notice-board, by an oversight, was not removed. Notice of the change had, however, been published in all the London papers, and the measure had given universal satisfaction.

## FRANCE AND ANNAM (TONQUIN).

### QUESTION. OBSERVATIONS.

**Lord HARRIS** asked the noble Earl the Secretary of State for Foreign Affairs, If he could inform the House what was the actual state of relations existing at the present moment between France and Annam? It was not his object to raise any question as to the rights of France on the Red River. He was aware that a Treaty was made in 1874 between Annam on the one part and France on the other, by which Annam undertook to open up the Red River to the sea and to look on France nominally as her protector. He was aware that France asserted that this Treaty had not been observed, and that Annam not having kept the country in orderly subjection, the stipulations of the Treaty had become a dead letter. It was not his object to enter in the question as to the claim of China that Annam was a tributary State. The particular Question he wished to put to the noble Earl was against whom was the action of France directed, for he confessed that at present there was considerable obscurity upon the point? It might be in the recollection of their Lordships that he asked a Question somewhat similar to the present last year. It was whether the Government had any reason to fear that the action of France would affect English trade, and that Question was answered most satisfactorily by the noble Earl the head of the India Office, to the effect that he had no reason to fear interruption to English trade in those waters. In asking a somewhat similar Question again, it was not to be supposed that he was raising any question of jealousy as to the action of France. If such a suggestion could be made, it would be satisfactorily answered by the fact that such commerce as had been created at Tonquin had been directed to Hong Kong instead of Saigon by Chinese merchants, who chiefly promoted it. He was astonished to find that among all the Parliamentary Papers issued to their Lordships' House during the last six months there was not a single Paper upon the subject. When it was remembered that Tonquin, the point to which his Question was particularly directed, was only 300 miles off the line taken by all steamers between Singapore and Hong Kong and China, and that the Red River came from that part of Asia which had been recently marched through by Mr. Colquhoun, he thought their Lordships would allow that it was a part of the world which at no distant day was likely to become much better known. He was surprised that so much interest had been taken in Madagascar, while so little had been taken in Annam. Several Papers had been issued on Madagascar; but, so far as trade was concerned, he thought Annam might prove at no distant day of no less importance than Madagascar. His object was to clear up the question against whom French action was directed. There was very little information on which he could base his Question, and therefore he was obliged to refer to certain telegrams of the Paris Correspondent of *The Standard,* in order to show the obscurity of the question, against whom was the action of France directed? He had been under the impression that it was directed against the Black Flag Pirates, but that was very doubtful. In a telegram in last Wednesday's *Standard,* he found the following statement:—

> "During the Easter recess, now drawing to a close, the Council of Ministers has on several occasions deliberated on the state of affairs in Tonquin and the Expedition it is proposed to send there. Though the exact terms of the Bill which the Chambers will be asked to vote sanctioning that Expedition have not yet been definitely agreed upon by the Cabinet, the exchange of views which has taken place between MM. Jules Ferry, Challemel-Lacour, and Charles Brun, goes far to show that the Expedition will not assume the importance which the Duclerc Cabinet proposed to give it. The Expedition, as conceived by Admiral Jaureguiberry, Minister of Marine under M. Duclerc, comprised the despatch to Tonquin of six thousand soldiers, and a flotilla of gunboats and other vessels drawing but little water. The latter portion of this scheme will probably be carried out with but little modification, but it is almost certain that the contingent of troops will not be so large as was first decided upon. The French intend to compel the Emperor of Annam to carry out the Treaty of 1874, and insure the free navigation of the Red River. If he is powerless to accomplish that the French will do the work for him. The present Cabinet does not seem to consider that, to arrive at that result, the conquest of Tonquin will be necessary, but believes that it will be sufficient to create in that country, and especially on the Red River, a series of military and commercial establishments, which will form the central points of new colonies. It is in this manner, and with the aid of the Native population, who are represented here as being most anxious to be freed from the exactions of the Annamite Mandarins, that the French hope to succeed within a brief delay in annexing Tonquin to their possessions in Cochin China."

Then another telegram stated as follows:—

> "On the other side the French representative at Hué, feeling his position there untenable, on account of the annoyances to which he was subject, and which late events were calculated to aggravate, judged it prudent to leave that capital. He embarked with the *personnel* of the Legation on board a despatch boat, and is now at Saigon."

He concluded from that that the Representative of France at the Court of Annam had left that country. Finally, he might call their Lordships' attention to an article in *The Temps,* which, after reflecting on certain remarks in the journal referred to respecting the contemplated action of France in Tonquin, concluded by saying—

> "The occupation, without firing a shot, of the three Western provinces of Lower Cochin China in 1867, the astonishing facility with which the Garnier enterprise was accomplished in 1874, the few men with whom Post Captain Rivière has maintained his position for months in the delta of the Red River, are sufficient to demonstrate the weakness of the Annamite power, even when supported by the famous black flag, under which are enrolled the deserters from the Chinese Army."

That seemed to show that the action of France was directed against the Emperor of Annam, and not against the Black Flag Pirates. He begged to ask the noble Earl whether he could inform the House what was the exact state of the relations between France and Annam?

EARL GRANVILLE: My Lords, I am sorry I cannot give a complete answer to the noble Lord's Question. As I understand, the action of France is directed to the maintenance of the rights which she claims under the Treaty she entered into with the Sovereign of Annam in 1874; but I have no official information on the subject.

THE MARQUESS OF SALISBURY: Have we an official Representative of any sort at the Court of Annam?

EARL GRANVILLE: We have none.

THE MARQUESS OF SALISBURY: None!

## THE ROYAL IRISH CONSTABULARY—REPORT OF THE COMMITTEE OF INQUIRY.

QUESTION. OBSERVATIONS.

THE EARL OF MILLTOWN asked the Lord President of the Council, What is the cause of the delay in communicating to the Royal Irish Constabulary the result of the Commission which was appointed eight months ago to inquire into and report upon their grievances; whether any conclusions have in fact been arrived at on the subject; and, if so, when they would be made public? The noble Lord said, that great discontent existed in the ranks of the Constabulary at the extraordinary delay which had occurred. The agitators, as usual, had made this discontent a means of furthering their objects in Ireland.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL), in reply, said, the subject of the grievances complained of by the Royal Irish Constabulary and the Dublin Metropolitan Police was a large and complicated one, and had occupied much time in consideration; but he was able to say that the Irish Government approved generally of the recommendations made by the two Committees of Inquiry. The Treasury had also approved generally of the financial recommendations made by the Committees; but in order to carry some of them into effect Her Majesty's Government must introduce a Bill in the other House. In the meantime, the information asked for would be supplied, for he intended to lay on the Table that evening the Report of the two Committees and the Minutes addressed by the Lord Lieutenant to the heads of the two bodies of Police.

Earl COWPER wished to be excused for saying that he did not think the noble Earl's Question had been exactly answered. His Question had reference to the cause of the great delay that had taken place, which had not been explained, and which struck him (Lord Cowper) as very unfortunate. He was very well aware that Her Majesty's Government must feel, as their Lordships all did, how much they owed to that splendid body of men, the Royal Irish Constabulary. Considering what the Constabulary had done during the last two or three years, it was impossible not to be astonished that their conduct had been what it was. Although these men were either sons or brothers of, or had near relations among, the most active members of the Land League, yet they had never swerved from their loyalty or their duty. Though they had been frequently placed in the most trying positions, and insulted and stoned by mobs without being able to fire in return—a position that would severely have tried the discipline of veteran soldiers—they had never lost their self-control. This body of men was so admirable that he felt that everything that concerned them was of vital importance. He confessed that when the lamentable outbreak took place among them some time ago, he did feel that there must have been some delay in dealing with their claims, for he knew that when he left Ireland a Report had just been made by a Committee appointed for the purpose, recommending that a certain grant of money should be made to them. Dealing with a mutiny of that sort was, of course, a very delicate matter, and he must state his opinion of the admirable manner—the firmness, kindness, and good feeling—with which it was dealt with by Lord Spencer. Although far from imputing any blame to the Irish Government, yet, considering that the Commission now alluded to was appointed eight months ago, he must say it was quite time that the matter was settled. He did not know much about the circumstances of the case as they existed at present; but he thought it was impossible for anyone to have filled any position in public life without knowing that, whoever was in Office, there was very often a great deal of obstruction, and a great deal of difficulty to contend with, in regard to the Department alluded to—he meant the Treasury. He did not know whether that was the case now, but it was generally acknowledged that the Treasury only parted with money after great importunity. If that was the case in the present instance, it was most unfortunate. He was happy, however, to hear that the Commission was now about to report. He was also glad to see that nothing more was said in the papers of that day as to any fresh ill-feeling amongst the police. He knew so well it was the interest of many parties to make it appear that there was discontent among them, that he could not help hoping that the reports of fresh discontent were exaggerated or without foundation.

## BILLS OF SALE (IRELAND) ACT (1879) AMENDMENT BILL.—(No. 29.)

(*The Lord Fitzgerald.*)

### COMMITTEE.

Order of the Day for the House to be put into Committee, read

House in Committee (according to Order).

The Earl of LIMERICK said, he wished to call the attention of their Lordships to certain provisions of the measure, particularly with reference to the absence of the necessity for the attestation of a bill of sale before a solicitor. This Bill only required that the execution of the bill of sale should be attested by some credible witness or witnessess, whereas the old Act contained as a safeguard that every bill of sale should be attested before a solicitor.

He did not know why this protection against fraud had been abandoned.

Lord FITZGERALD said, that this Bill had been introduced, with the approval of the Chamber of Commerce of Dublin and the commercial community of Ireland, to extend to Ireland the provisions of the last English Bills of Sale Act. It was most desirable, in his opinion, that the Commercial Law of the two countries should be identical in every respect. With regard to the point adverted to by the noble Earl, the fact was that the Bill threw a great deal of protection around persons which did not exist before. Bills of sale for sums under £30 were void; there was a simple form which anyone could read and understand, besides many other safeguards. Under those circumstances it had been thought that attestation by a solicitor was no longer necessary.

Bill *reported* without Amendment; and to be read 3ª on *Thursday* next.

House adjourned at a quarter past Six o'clock, to Thursday next, a quarter past Ten o'clock.

# HOUSE OF COMMONS,

## *Tuesday*, 17*th April*, 1883.

MINUTES.]—Private Bill (*by Order*)—*Second Reading*—Mersey Railway *.

Public Bills—*Resolutions* [April 16] *reported—Ordered — First Reading* — Lord Alcester's Annuity * [145]; Lord Wolseley's Annuity * [146].

*Second Reading*—General Police and Improvement (Scotland) Provisional Order (Broughty Ferry Paving) * [1].

*Third Reading*—Prevention of Crime (Ireland) Act (1882) (Audience of Solicitors) * [61], and *passed.*

## *QUESTIONS.*

### ARMY (INDIA)—GLANDERS IN THE BENGAL CAVALRY.

Dr. CAMERON asked the Under Secretary of State for India, Whether he can inform the House as to the extent of the outbreak of glanders in the Bengal Cavalry Regiment which carried that disease to Egypt, on its voyage back, and since its return to India; and, whether it is true that an English officer and two Natives, infected during the return voyage, have died of glanders?

Mr. J. K. CROSS: In answer to a Question on this subject from my hon. Friend on the 5th of March, I said that a Report had been called for from the Government of India. That Government now telegraph that their Report will be despatched by next mail. Until it is received, I am afraid I can add nothing to the information I have already given.

### MOROCCO—SALES OF SLAVES AT TANGIER.

Mr. WHITWORTH asked the Under Secretary of State for Foreign Affairs, If his attention has been called to a paragraph in the "Saint James's Gazette" of Monday, stating that frequent sales of slaves take place at Tangier, and that on Friday last one was sold for fifty-two dollars?

Lord EDMOND FITZMAURICE: The attention of Her Majesty's Government has been called to the statements referred to; but no information on the subject has been received at the Foreign Office. Her Majesty's Minister at Tangier will be instructed to report on the matter. It unfortunately happens that there is no Slave Trade Treaty between this country and Morocco.

### POOR LAW (IRELAND)—BANTRY—ELECTION OF GUARDIANS.

Lord ELCHO asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether any inquiry has been instituted into the proceedings at the recent elections of Poor Law Guardians for the Union of Bantry, and whether the facts stated by Mr. Barrett, Vice Chairman of the Board, were correctly reported in the "Cork Constitution" of 11th April, when he is reported to have said, in speaking of the action of the Roman Catholic Clergy:—

> "He would give them one instance of that. On Holy Thursday at about 12 o'clock he went to the house of a man named O'Neill, and told him to look out for the constable who was taking up the voting papers, and who would probably be with him in about an hour. The country was in such a state of excitement, bands of men flying here and there, that he took the precaution of having two armed constables with him for protection while talking to Neill in his own house; he called my attention to the approach of a body of about twenty men, who, headed by a clergyman, were running towards his house,

> Neill said to him, 'There will be bad work here, I will go aoneside, you take charge of my voting paper, and hand it to the constable when he comes;' Neill then disappeared and went out on the hill, the bludgeon men then rushed into the house, the clergyman, Father O'Leary, called out for Neill, his wife said he was out; he asked the wife to shut the door, and she refused; he then asked the daughter to shut it, and she likewise refused; he (Mr. Barrett) was sitting in the kitchen, a quiet spectator of all that happened, and what he would call the attention of the board to was that, if that door was shut, and that he was imprisoned within the house, he had nothing for it but to fight his way through, and he was very certain that serious consequences would have ensued from a collision between him and those men;"

and, what action the Government intend to take in the matter?

Mr. TOTTENHAM asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to a report of the meeting of the Bantry Board of Guardians, in the "Cork Constitution" of 11th April, at which the chairman, Mr. Payne, in his address to the board on re-election as chairman, is reported to have said, when commenting on the recent elections—

> "As to the manner in which the contest was conducted, he would only shortly refer to the Electoral Division of Whiddy. The voting papers were given out on Monday 19th March, fair day in Bantry, and three of the voters came to the fair, the Rev. Mr. Kearney went into the island, followed the constable, and took away their voting papers; one of them insisted on getting his back, after an attempt had been made to spoil it, by putting in his initials between the names of the candidates; he (Mr. Payne) had to go with another of the men to Mr. Kearney and demand his paper from him; the third was never given back, and they consequently lost three votes; in the fourth case the voter was at home, and got his paper from the constable. Mr. Kearney went to his house, accompanied by a mob, and made every effort to induce him to give it up, but without effect; in the fifth case Mr. Kearney went ahead of the constable, and got into the house; put out some people who were in the kitchen, locked the entrance door, and then went to another room where the man was, and kept him in conversation; when the policeman rapped, the man not knowing the door was locked, called out, 'come in,' but the constable not being able to get in went away; however, he returned next day, and left the paper, and the man voted, and, on the day of the scrutiny, Canon Shinkwin attended and objected strongly to that vote on the grounds that the constable had to go a second time; thus sanctioning the unscrupulous act of his curate. The voting papers were collected on the following Wednesday. Mr. Kearney was there again, followed by a mob. He (Mr. Payne) happened to be in the houses of two of the men who voted with him, when Mr. Kearney, preceding the constable, entered, and in each case spoke the same words, 'I hope you will receive your reward for this.' That needed no comment from him (Mr. Payne);"

and, if these allegations are substantiated, whether any prosecution will be instituted under the Crime Prevention Act?

Lord ARTHUR HILL asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether any steps have been taken to verify the statement of Mr. Bird, Deputy Vice Chairman of the Bantry Board of Guardians, as appearing in the "Cork Constitution" of the 11th instant, when he is reported to have said as follows:—

> "Mr. Bird begged to thank the Board sincerely for having unanimously re-elected him as deputy vice-chairman. He wished to make but very few remarks. In one of the divisions he was interested in, most unjustifiable means were used to defeat the candidate he nominated. Whenever a voter was supposed to be going to vote for him, his house was closed by a mob. In one house the vote was burned, without the consent of the voter, in fact, every means were used to oust a candidate who represented the greater part of the property of that division;"

if it is a fact that, in one electoral division, fourteen nuns were brought from their convent, and registered their votes in favour of the clerical nominee; and, what action it is proposed to take to prevent the recurrence of such proceedings?

Colonel COLTHURST asked, with reference to the Question of the noble Lord (Lord Elcho), Whether the right hon. Gentleman had seen a letter in *The Freeman's Journal* from the Very Rev. Canon Shinkwin, in which he denied the charges against the priests made in those speeches?

Mr. O'BRIEN: Before the right hon. Gentleman answers, I should like to ask, Whether the statements made in those speeches at the Bantry Board of Guardians were made after attention had been called in this House to acts of gross intimidation charged against Mr. Payne and other landlords in the Bantry district; and, whether the inquiries the right hon. Gentleman promised to institute have resulted as yet in directing a prosecution against Mr. Payne and the other landlords inculpated for intimidation?

Mr. T. D. SULLIVAN: I wish to ask, Whether, in view of the enormous number of cases of intimidation alleged to have been practised by landlords and others during the recent Poor Law elections, he will do all in his power to expedite the passing of the Bill for taking votes at these elections by ballot?

MR. TREVELYAN: From the Reports which have been submitted to the Government it is clear that very great, and possibly, in some respects, questionable, efforts were made to carry some of the recent Poor Law elections in Ireland. It is obvious that at elections of this and similar kinds great efforts will be made, in the future as in the past, by the supporters of the rival candidates, to secure success for their own party; and if the Government were to be called upon to investigate all complaints arising out of such efforts, and to institute prosecutions, they are conscious that they would be applying the Prevention of Crime Act in a manner which, in the long run, would not be to the public interest. Therefore, on full consideration of the circumstances of the present cases they do not propose to initiate a public prosecution. I may be permitted, perhaps, again to allude to the Bill which has been referred to in the last Question put to me, and to express the hope that it will be passed into law this Session, so as to prevent any intimidation or interference in future from any quarters. I must say that, in the present state of Ireland, intimidation will be likely to lead to much graver consequences to the public safety than, perhaps, it has done in the past.

MR. TOTTENHAM: Will the Local Government Board order fresh elections in these cases?

MR. TREVELYAN: No, Sir. The advice which we have got from the extremely able officer who acts as Special Resident Magistrate in that district is that, for the sake of the district, the best plan would be to let bygones be bygones on both sides.

MR. SEXTON: I wish to ask the right hon. Gentleman, Whether he is aware that Mr. Payne concerned himself as Lord Bandon's agent in these elections; whether he canvassed in the interest of the estate bailiff Phillips; whether he promised several tenants sums of money for their votes, and said to one of them (Burke, of Kilmean), "you won't have a roof over your head this day 12 months if you don't vote for Phillips;" and, whether, if the facts be as stated, they are not sufficient to induce the right hon. Gentleman to qualify the answer he has given as to the undesirability of instituting the prosecution?

MR. TREVELYAN: The answer I have given was an answer that was very carefully weighed, and one that was arrived at entirely in the public interest.

## THE IRISH LAND COMMISSION—PAYMENTS UNDER THE ARREARS ACT.

MR. O'CONNOR POWER asked the Chief Secretary to the Lord Lieutenant of Ireland, What is the practice of the Land Commission Court in reference to money lodged by tenants to the credit of the Commission under the Arrears Act; and, whether it is a fact that deposits made by tenants, who paid the 1881 rent, are still withheld from them?

MR. TREVELYAN: The Land Commission was authorized by Section 1, sub-section 5, of the Arrears Act, to receive money from tenants in respect of the rent for the year 1881; the object of the sub-section being to facilitate the payment by the tenant of that rent, if there was any difficulty either on the part of the landlord being unwilling to receive it, or on account of his absence from Ireland. When such payment is made, the Act requires the Commissioners to pay it over to the landlord. A repayment to a tenant can, therefore, only be made by the consent of the landlord.

## PREVENTION OF CRIME (IRELAND) ACT, 1882—SEARCHES.

MR. O'CONNOR POWER asked the Chief Secretary to the Lord Lieutenant of Ireland, If he is aware that the police, in making searches under the Prevention of Crime Act, sometimes neglect to produce the warrant authorising the search; and, if he will take steps to make them comply with legal requirements in this respect?

MR. TREVELYAN: The Act of Parliament does not direct the production of the warrant, except upon demand. I have not heard of any complaint being made against the police for refusing to produce their warrants when required to do so.

MR. O'CONNOR POWER: I may inform the right hon. Gentleman that I have received several letters complaining that the police have refused to produce the warrant, and I think it is needless irritation.

MR. TREVELYAN: If the right hon. Gentleman will inform me on the matter, I will inquire into them.

## STATE OF IRELAND—DISTRESS IN DONEGAL.

MR. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he will lay upon the Table of the House Dr. Woodhouse's further Report on the distress in Donegal?

MR. TREVELYAN: There is not any objection to laying Dr. Woodhouse's further Report upon the Table, and I shall do so as soon as the copy can be prepared.

MR. SEXTON asked, whether Reports relating to other distressed districts would also be produced?

MR. TREVELYAN: I will lay on the Table the Reports with regard to Sligo also.

MR. SEXTON: And the distressed districts generally?

MR. TREVELYAN: Yes; I will see to that.

## NATIONAL EDUCATION (IRELAND)—TRAINING OF TEACHERS.

LORD ARTHUR HILL asked the First Lord of the Treasury, Whether his attention has been called to the reply given by the Lord Lieutenat of Ireland, as reported in the "Belfast Newsletter" of the 10th inst., to the Moderator of the General Assembly of the Presbyterian Church in Ireland, who waited upon His Excellency for the purpose of remonstrating against the contemplated changes being made in the national system of education in Ireland for the denominational training of teachers, which changes the deputation urged would lead to the denominationalising of the whole system, and to the overthrow of those principles on which it was founded and on which it has worked; and, whether Her Majesty's Government propose to carry out these changes in direct opposition to the strongly expressed feelings of the Prebyterian and other Protestant churches in Ireland?

MR. TREVELYAN: The noble Lord will probably allow me to answer the Question. The Government, after a careful, and it is needless to say, a most respectful consideration of the views laid before them by the members of the deputation, are still of opinion that the course adopted by the Board of National Education, with the concurrence of the Government, will not make any material inroad on the principles on which National education in Ireland is at present conducted; and, therefore, they are prepared to go forward with the scheme for removing the grave defects in the training of National teachers which have long been complained of.

## LAW AND JUSTICE (SCOTLAND)—THE SHERIFF CLERK OF FORFARSHIRE.

SIR R. ASSHETON CROSS asked the Lord Advocate, Why the sheriff clerk of Forfarshire is to hold for six months offices which are incompatible with the duties of the sheriff clerkship; whether it is proposed that he should perform the duties of his office at Dundee while continuing to reside at Montrose; and, whether he will lay upon the Table of the House the Correspondence which has taken place between himself and Mr. Ross upon the subject?

THE LORD ADVOCATE (Mr. J. B. BALFOUR): It is not the fact that the sheriff clerk of Forfarshire is to hold for six months offices which are incompatible with the duties of the sheriff clerkship. Mr. Ross, at the time of his appointment, was joint-agent of the Commercial Bank at Montrose, the duties of the offices being discharged by his son, the other joint-agent, and he was also clerk and treasurer of Montrose Harbour. As I have already informed the right hon. Gentleman, Mr. Ross was permitted to complete his engagements for the current year in these offices; but I understand he will be relieved of the bank agency during the present month. Such offices are commonly held by sheriff clerks all over Scotland; but in Edinburgh and Glasgow the sheriff clerks do not engage in any business outside of their offices, or hold any other appointments. We thought that arrangement a good one where financial considerations admit of its being carried out, and particularly applicable to the next largest town in Scotland, Dundee, where the head office of the sheriff clerk of Forfarshire ought obviously to be. But the conditions which we thought it right to insert in Mr. Ross' commission, though proper and expedient, are entirely new in Forfarshire, and are not required by law or previous practice. I am not aware that any stipulation as to residence has ever been made with a sheriff clerk. The sheriff clerk of Forfarshire may reside where he pleases, so long as he performs his duties at Dundee. I am willing to lay the Correspondence on the Table, if the right hon. Gentleman thinks it worth while.

### ARMY—FIRST CLASS RESERVE MEN.

**Lord EUSTACE CECIL** asked the Secretary of State for War, The total number of First Class Reserve men on the Establishment on the 1st of April 1883, distinguishing the number still serving in Egypt from the number in the United Kingdom?

**Sir ARTHUR HAYTER** (for The Marquess of Hartington): The strength of the First Class Army Reserve on the 1st of April was 27,073 men, exclusive of those still serving with the Colours. The number still reckoned with the Colours is reported as 978; but these men are all on furlough, excepting a few left in Egypt, who have been detained on account of sickness.

### CONTAGIOUS DISEASES ACTS.

**Mr. TOTTENHAM** asked the Secretary of State for War, If he will lay upon the Table a Return of admissions to hospital for diseases referred to in the Contagious Diseases Acts of soldiers in the fourteen protected and all unprotected Stations in the year 1881?

**Sir ARTHUR HAYTER**: Yes, Sir; I have to-day laid upon the Table the Return asked for by the hon. Member, and will endeavour to hasten the printing of it with all possible despatch.

### NAVY PENSIONS.

**Admiral EGERTON** asked the Secretary to the Admiralty, Whether there is any truth in a report in the newspapers that the new regulations regarding pensions are to be retrospective?

**Mr. CAMPBELL-BANNERMAN**: I am much obliged to my hon. and gallant Friend for giving me an opportunity of contradicting the statement which appeared in a weekly paper of Saturday last, that I had announced in this House the intention of the Admiralty to require all men now serving their first engagement to re-engage for 12 years in order to obtain a pension. This is a direct misrepresentation of what I said. I stated, in the clearest terms, that our proposal with reference to service would not apply to any men now serving; but would only affect entries made after the necessary legislative powers for the alteration had been obtained. Besides, it is the first term of service, and not the second, which we propose to extend by two years. It is greatly to be regretted that a newspaper should have published a statement which is so absolutely contrary to facts, and, at the same time, so much calculated to excite reasonable discontent among the men of Her Majesty's Navy.

### THE HOUSE OF COMMONS—THE ELECTRIC LIGHT.

**Lord RANDOLPH CHURCHILL** asked the First Commissioner of Works, Whether it is the case that the Edison Company have lighted the dining-rooms and smoking-room of the House of Commons, at their own expense, free of any charge to the public, or whether the Board of Works have agreed to pay the Company for the expenses of lighting during the Session; if the latter, whether the work of lighting the rooms aforesaid was put out to contract, and whether tenders were called for from any other Electric Lighting Company; and, if not, if he would explain the reason; and, whether he will undertake that, before any further arrangements are concluded for the lighting by electricity of the Houses of Parliament, or of any part of them, the business shall be open to tenders in a manner similar to all other Government contracts?

**Mr. SHAW LEFEVRE**: The Edison Company offered, as an experiment—supplying the whole plant themselves—to light the Library and Dining Rooms of this House at a cost to the Government something less than the cost of the gas which is at present consumed.

**Lord RANDOLPH CHURCHILL**: What is the cost?

**Mr. SHAW LEFEVRE**: Under £100 less. I thought, on the whole, it would be interesting to Members to try the experiment, and I am under no further obligation to the Company. With respect to the future, I shall, towards the end of the Session, consult the wishes of Members before making any permanent arrangement. In the present state of Electric Lighting, I do not think it a fit subject for competition. After careful consideration, I did not think it wise to act on this principle when I introduced the Swan system of lighting into the Law Courts.

**Lord RANDOLPH CHURCHILL** wished to know whether the Edison Company had not already, for some considerable time, been lighting the Post Office; and whether, as far as that experiment was concerned, the Company had not given complete satisfaction; and, secondly, whether, before the Law Courts were lighted by the Swan Company, tenders were received from the Siemens, Edison, and Swan Companies?

**Mr. SHAW LEFEVRE**: I received no tenders from any of the Companies named. After careful inquiry I invited the Swan Company to tender, and I accepted their tender. The Edison Company had lighted the Post Office, and it was mainly in consequence of their success there that I accepted their suggestion to light the Library and Dining Rooms of the House of Commons.

**Lord RANDOLPH CHURCHILL**: I beg to give Notice that on the Vote for the Houses of Parliament, which I believe is the next in the Civil Service Estimates, I shall call attention to this subject.

**Viscount FOLKESTONE**: Will the right hon. Gentleman say whether he proposes to extend the application of the electric system of lighting to this Chamber; also, will he say if there would be any difficulty in placing an electric lamp at the top of the Tower, instead of the very dark gas lamp which is there now?

**Mr. SHAW LEFEVRE**: No, Sir; there is no such intention.

**Mr. R. N. FOWLER**: Is the right hon. Gentleman aware that the light on the Clock Tower went out the other night?

[No reply was given.]

## PARLIAMENTARY OATHS ACT, 1866.

**Sir WILLIAM HART DYKE** asked the First Lord of the Treasury, Whether the present Lord Chancellor, who in 1866 was Attorney General, in which year the Parliamentary Oaths Bill was brought forward by the Government, ever informed the House of Commons that henceforward actions under the Bill could only be undertaken by the Attorney General?

**Mr. GLADSTONE**: I wish the right hon. Baronet had given me some clue in this matter. The Question appears to refer to some declaration of which he may be cognizant, but I am not. I have referred to the Lord Chancellor, and he has no recollection of what he may have said on this subject in 1866; but he has directed a search to be made.

Afterwards,

**Mr. GLADSTONE** said: In reference to the Question put by the right hon. Baronet the Member for Mid Kent, I have a note from the Lord Chancellor since he wrote to me before, stating that he has had an opportunity of making a search in *Hansard*, and that there is no trace of any such declaration as the right hon. Baronet referred to.

## PARLIAMENTARY OATH (MR. BRADLAUGH).

**Mr. NEWDEGATE**: There appeared to be some misunderstanding yesterday when I gave Notice of the Question I am about to put to the First Lord of the Treasury; and inasmuch, Mr. Speaker, as I founded the Question I am about to put upon certain dicta which you uttered from the Chair in maintenance of the Order of the House, and upon the Records of the proceedings of the House itself, I trust that I shall be pardoned if, in order to avoid any misunderstanding, I read in explanation your dicta, as given in *Hansard* and in the Journals of the House. I find in *Hansard's Debates* that on the 22nd of February, 1882, you said, in allusion to Mr. Bradlaugh's conduct—

> "I have again to call the attention of the House to the repeated acts of disobedience of the hon. Member for Northampton. He has disobeyed the Orders of the House and the directions of the Chair in coming within the Bar. By the Order of the 7th of February last, the hon. Member was ordered to take his seat below the Bar; and on every occasion since, when the hon. Member has passed within the Bar, I consider he has been guilty of disobedience to the Order of this House; and I have now again to call the attention of the House to that circumstance." — (3 *Hansard*, [266] 1341.)

I find attached to the division of that day—the 22nd of February, 1882—a shorter version of your dictum in that respect. It is as follows:—

"Whereupon Mr. Speaker reminded the House of the repeated acts of disobedience committed by Mr. Bradlaugh by coming within the Bar, in contempt of the Orders of the House, and of the directions of the Chair, and called the attention of the House to his having again on this occasion come within the Bar, and Mr. Speaker thereupon desired Mr. Bradlaugh to withdraw."

Then, with reference to the last part of my Question, as to Mr. Bradlaugh having voted, I find this in the same note to the division—

"And the numbers having been reported by the Tellers, Ayes 291, Noes 83, it was stated by Mr. Wynn, one of the Tellers for the Noes, that Mr. Bradlaugh had voted in the Division Lobby of the 'Noes.' Mr. Speaker thereupon stated that the Tellers having reported that Mr. Bradlaugh had voted in the Division, it was for the House to consider what should be done with regard to Mr. Bradlaugh's Vote. But no Motion with regard to Mr. Bradlaugh's Vote having been made, Mr. Speaker declared the numbers, Ayes 291, Noes 83.

With this explanation, I conclude by asking the Prime Minister, Whether he was rightly understood, on Thursday last, to declare that it was not his intention to direct the Attorney General to institute proceedings against Mr. Bradlaugh for having sat and voted in the House on the 22nd February 1882, or on any other occasion?

Mr. GLADSTONE: Sir, nothing could be more clear, I think, than the Question of the hon. Member, now that I have seen it printed, and had the opportunity of considering it, though I was not able to follow it when he delivered it orally yesterday. It is not a fact that I declared on Thursday last that it was not our intention to direct the Attorney General to institute proceedings with reference to the 22nd of February, 1882, because down to this time I have not answered any Question in relation to the circumstances of that day. The branches of the Question are two, and apart, and are perfectly distinct one from the other. The 22nd of February, 1882, I find, was the day on which Mr. Bradlaugh came to the Table, uttered the words of the Oath, performed the ceremony of kissing the Book, and thereupon took his seat and voted. The hon. Gentleman, in one branch of his Question, I presume, intends to ask whether we have directed, or intended to direct, the Attorney General to prosecute Mr. Bradlaugh for having so done. My answer is—No, we do not; and for this reason, that the House took the matter into its own hands. As was truly said by the hon. Gentleman, the whole matter was brought to the full attention of the House, and the House proceeded, on a Motion made for that purpose, to the expulsion of Mr. Bradlaugh. It did not appear to us then, and it does not appear to us now, that it was our duty to take any proceedings at law in regard to the matter when the House had dealt with it by the adoption of the extreme remedy in its hands, which it was thought was called for by the circumstances of the case. The mere disobedience of Mr. Bradlaugh to the Order of the House could not, I believe, have necessarily led to such a result. Unless I am misinformed, Mr. Alderman Salomons disobeyed the Order of the House in taking his seat—I am not sure whether he voted—but certainly in taking his seat after he had been prevented taking the Oath at the Table in the manner in which he desired to take it in consonance with the principles of his religious profession. That does not appear to have been considered a case of contumacy, and, accordingly, no penal measure was adopted by the House. But the case of Mr. Bradlaugh was thought to be of a different order, and, therefore, a penal measure was adopted by the House; and the Government did not deem it their duty to take any other steps in reference to that proceeding. Then the closing words of the Question of the hon. Member are, whether we do not intend to prosecute Mr. Bradlaugh for having sat and voted on any other occasion? With regard to that subject, I have answered Questions already, and this is of a totally different character. These are occasions on which Mr. Bradlaugh sat and voted after he had, in due and regular form, so far as this House was concerned, made a declaration at the Table. The law with respect to his right to make that declaration was, at that time, I believe, entirely unsettled by the Courts—the question had not been before them; and the Resolution which had been passed by the House in 1880 declared that a Member returned to Parliament, on coming to the Table to declare, should be permitted to do so at his own risk, in respect to the consequences, in the event of the law being declared against him. In that case, as I think has been stated already, we instituted no preliminary consideration of the steps it might be our duty or not our duty to take in a contingency which did not arise. We were not aware in what way the law would be declared, nor had we any means of knowing what the decision of the Courts would be. After the law had been declared, the case was entirely different; but the action brought against Mr. Bradlaugh was brought, as I think I stated yesterday, instantly after his having sat and voted in the House, so that, in point of fact, even if it had been the intention of the Attorney General to prosecute, he was prevented from doing so by the action of the hon. Member.

Mr. NEWDEGATE: I wish to ask the Prime Minister, with reference to the division of the House, which I quoted, whether the decision of the Court as to the law affecting those who may sit and vote in this House without any right to do so, has devolved upon Her Majesty's Government, that right being taken away from the public; and, whether he intends to establish a precedent, and to exercise a discretion—in fact, whether he will suspend the operation of the law?

Mr. GLADSTONE: The Question, if I understand it rightly, has been answered by me already in replying to a Question put by the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote), in which answer I stated that in the case of a gentleman coming to the Table and being permitted to declare against the law, which has now been settled, it would be, in our view, the duty of the Attorney General to institute proceedings against him.

Lord RANDOLPH CHURCHILL asked the First Lord of the Treasury, Whether it is to be understood that, when Her Majesty's Government pressed upon the House of Commons the Resolution under which Mr. Bradlaugh was permitted and invited to affirm, Her Majesty's Government had not considered, either by seeking the advice of the Lord Chancellor or the opinion of the Law Officers of the Crown, whether Mr. Bradlaugh will not be liable to an action at the suit of the Attorney General, or whether they had arrived at the decision that, under no circumstances, should the Attorney General be instructed to institute proceedings in accordance with the Law?

Mr. GLADSTONE: I believe I have answered all the matters that can be answered in this Question. I have already given more than one answer stating that, before proposing the Resolution of July, 1880, we had not entered upon the consideration of what might or might not be our duty in a contingency which had not arrived, and which we had not any means of foreseeing. Therefore, no opinion was given on the subject, either by the Lord Chancellor or by the Law Officers of the Crown; and certainly we had not arrived at the decision that under no circumstances should the Attorney General be instructed to institute proceedings. I believe I have stated the whole of that on former occasions.

Sir H. DRUMMOND WOLFF asked the First Lord of the Treasury, Whether, before proposing the Resolution of the 1st July 1880, the Cabinet had considered the liabilities to which any elected Member was exposed who should avail himself of its provisions in contravention of the Parliamentary Oaths Act of 1866; and, if not, what was the meaning the Government then attached to the words "subject to any liability by statute," contained in the Resolution; and, whether the Government, including the Lord Chancellor, had not considered how far it was their duty to vindicate the Law, by proceeding, through the Attorney General, before the decision pronounced by the House of Lords, presided over by the Lord Chancellor, in the case of Clark versus Bradlaugh, or whether, adopting the plea on which the Resolution was recommended to the House by the Solicitor General, they determined to leave the action to be commenced by a private individual? The hon. Gentleman said that the Question really was, whether it would not have been possible for the Attorney General to have instituted proceedings against Mr. Bradlaugh at the same time as the hon. Member for North Warwickshire; and, whether, if he had done so, the case would not have been tried under the two alternatives, because by not instructing the Attorney General to commence proceedings, the Government—including the Lord Chancellor, who had taken upon himself to decide the question—practically adopted the plea put forward by the Solicitor General, and which had induced the House to consent to the Resolution allowing Mr. Bradlaugh to affirm at his peril?

THE ATTORNEY GENERAL (Sir HENRY JAMES): I do not accept the conclusions arrived at by the hon. Member. As to the legal question, whether two actions could be sustained and maintained at one time, for the same penalty, I say of course they could not. When the action was commenced by the hon. Member for North Warwickshire, it was then generally supposed he had the right to commence it. In those circumstances no action ought to have been, or could have been, brought by Her Majesty's Government.

SIR H. DRUMMOND WOLFF: I beg to give Notice that I shall call attention to the conduct of the Lord Chancellor in this matter.

MR. NEWDEGATE: I would ask the Attorney General, whether the vote given by Mr. Bradlaugh in the question before the Court and before the House of Lords was the vote given on the 22nd of February, 1882? I can tell the hon. and learned Gentleman that it was not.

THE ATTORNEY GENERAL (Sir HENRY JAMES): In these circumstances I need not inform the hon. Gentleman it certainly was not.

## THE ROYAL IRISH CONSTABULARY—REPORT, &c.

DR. LYONS, in pursuance of private Notice, asked the Chief Secretary to the Lord Lieutenant of Ireland, What was the reason of the delay in communicating to the public the results of the Committee of Inquiry appointed to inquire into the grievances of the Royal Irish Constabulary and the Dublin Police, and when the conclusions arrived at would be made public?

MR. TREVELYAN: The Government have determined on presenting to Parliament the Report of the Committee of Inquiry into representations made by members of the Royal Irish Constabulary, and also the Report of the Committee of Inquiry into representations made by the Dublin Metropolitan Police. These Reports are in type, and the printer has been directed to prepare them at once for circulation. The consideration of such a large and complicated question—and, I may say, it has been a final, a definite, and complete consideration—has necessarily occupied considerable time; but I may say that the Irish Government have approved generally the recommendations of the Committees—except in the case of a few of the less important matters—and recommended them to the Lords Commissioners of Her Majesty's Treasury. I will to-day move for copies of Minutes addressed by the Lord Lieutenant of Ireland to the Inspector General of Royal Irish Constabulary and to the Commissioner of Dublin Metropolitan Police, which refer to these recommendations of the Committees, with which the Irish Government do not agree. The Lords Commissioners of the Treasury have approved generally the financial recommendations of the Committees. Legislation will, however, be necessary to give effect to them; and I intend, as soon as possible, to introduce a Bill asking for the necessary legislative authority.

## PARLIAMENT — BUSINESS OF THE HOUSE—STANDING COMMITTEES AND PRIVATE BILL COMMITTEES.

MR. HENEAGE asked the right hon. Gentleman the Member for the University of Oxford, as Chairman of the Committee of Selection, What arrangements had been made to obviate the inconvenience that would arise when the Chairman of a Private Bill Committee was also a Member of a Standing Committee, and when Standing and Private Bill Committees sat at the same time?

SIR JOHN R. MOWBRAY: The Committee of Selection are not responsible for arrangements made for the adjournment of Committees appointed to sit on Railway Bills. The Committee of Selection, at the beginning of the Session, nominate a Committee on Railway and Canal Bills, and the Members of that Committee appoint from among themselves the Chairman of each Committee on a Railway and Canal Bill, or on a group of such Bills, and may change the Chairman so appointed from time to time. The Committee of Selection do not fix the time when any particular Chairman shall be on duty. The Committee of Selection, as a rule, avoided placing on the new Standing Committees the name of any Member of the

General Committee on Railway and Canal Bills; and in the case of my hon. Friend the Member for Mid Somerset (Mr. R. H. Paget), who was Chairman of Group 6, I requested my hon. Friend to make such arrangements as to the time of his serving on a group, that his duties as a Member of the Standing Committee on Law should not interfere with his duties as a Chairman of a Railway Group, attendance upon which, as the House knows, is compulsory.

Mr. R. H. PAGET said, that the Question of the hon. Member directly referred to him, and he was anxious to state that, in applying to be placed on the Standing Committee on Law, he had explained that he would, if necessary, willingly abandon his position as Chairman of the Committee on Group 6 of the Railway and Canal Bills. The position of a Member whose duties were thus conflicting was somewhat difficult. Duty called him to serve alike as Chairman of a Railway Committee and as Member of a Standing Committee, and he had but acted in the matter in accordance with a sense of duty.

Mr. DODDS asked the hon. Member, as he was required to be in two places at once next Thursday, what course he intended to take?

[No reply was given.]

## CRIME (IRELAND)—THE ASSASSINATIONS IN THE PHŒNIX PARK, DUBLIN—EXTRADITION OF "No. 1."

Sir HERBERT MAXWELL asked the Under Secretary of State for Foreign Affairs, a Question of which he had not been able to give private Notice—namely, If his attention had been called to a telegram from New York, in some of the morning papers, stating that Tynan, the notorious "No. 1" of the Irish Invincibles, had not gone to Mexico, but was living in New York with his family, and that, although not courting observation, he moved about freely under an *alias;* whether the Government had any information as to the accuracy of that statement; and, if it were true, would the Government take any steps to demand the extradition of that individual?

Lord EDMOND FITZMAURICE: I think the House will see that Notice ought to given of a Question of this importance.

*Sir John R. Mowbray*

## PARLIAMENTARY OATHS ACT (1866) AMENDMENT BILL.

Lord RANDOLPH CHURCHILL said, that a paragraph appeared in *The Daily News,* with every appearance of importance, to the effect that it was not the intention of the Government to treat the Oaths Bill as a question of confidence or no confidence. He wished to ask the Prime Minister if this were correct; and he addressed the Question to him, because it was generally understood that *The Daily News* was the only newspaper which the right hon. Gentleman found time to read?

Mr. GLADSTONE: As the noble Lord has put his Question only on the ground that *The Daily News* is the only newspaper that I ever find time to read, I think I hardly ought to answer the Question at all, because that supposition is erroneous. With regard to the particular paragraph, I apprehend it is a paragraph inserted like many other paragraphs in *The Daily News* and other papers, according to what is judged to be possible or probable, and upon information which is far from being infallible. I am not aware of any ground for this particular statement.

## LAW AND JUSTICE—EXCESSIVE SENTENCES.

Mr. P. A. TAYLOR asked the Secretary of State for the Home Department, What had been the result of his inquiries into the case of the three men who had recently been sentenced to three months' imprisonment with hard labour for sleeping in an open field?

Sir WILLIAM HARCOURT, in reply, said, that having learnt the circumstances of this case, he had recommended that the men should be discharged.

---

## PARLIAMENT—COMMITTEE OF SELECTION (SPECIAL REPORT).

Leave to Committee to make a Special Report:—

Sir JOHN R. MOWBRAY accordingly *reported* from the Committee of Selection, That they had added the following Fifteen Members to the Standing Committee on Law, and Courts of Justice, and Legal Procedure, in respect of the Criminal Code (Indictable Offences Procedure) Bill:—Mr. Buszard, Dr. Commins, Baron de Worms, Mr. Arthur

Elliot, Mr. Freshfield, Mr. Carpenter Garnier, Mr. Morgan Lloyd, Mr. Macartney, Mr. Patrick Martin, Mr. Mellor, Mr. Reid, Mr. Sellar, Mr. Warton, Mr. Willis, Sir John Eardley Wilmot.

SIR JOHN R. MOWBRAY further *reported*, That they had added the following Fifteen Members to the Standing Committee on Trade, Shipping, and Manufactures, in respect of the Patents for Inventions Bill:—Mr. Arthur Arnold, Mr. James Campbell, Mr. Carbutt, Mr. Coope, Mr. Cotton, Mr. Ewart, Sir Daniel Gooch, Mr. Molloy, Mr. Nicholson (Newark), Mr. Hinde Palmer, Sir Edward Reed, Mr. Thorold Rogers, Mr. Bernhard Samuelson, Mr. Shield, and Mr. Stevenson.

Report to lie upon the Table.

### PARLIAMENT—COMMITTEE OF SELECTION (SPECIAL REPORT).

Leave to Committee to make a Special Report:—

SIR JOHN R. MOWBRAY accordingly *reported* from the Committee of Selection, That they had nominated the following Five Members to serve on the Joint Committee of Lords and Commons on the Channel Tunnel:—Mr. Baxter, Mr. Harcourt, Sir Massey Lopes, Mr. Arthur Peel, Sir Henry Hussey Vivian.

Report to lie upon the Table.

## *MOTION.*

### LOCAL TAXATION.—RESOLUTION.

MR. PELL, in rising to call attention to the severe and inequitable pressure of Local Taxes; and to move—

> "That no further delay should be allowed in granting adequate relief to ratepayers in Counties and Boroughs in respect of National services required of Local Authorities,"

said, that in 1872 the House gave its consideration to the question of local taxation as a whole, when the hon. Baronet the Member for South Devon (Sir Massey Lopes) reaped the reward not only of his perseverance and ability, but also of the merits of the case. He then succeeded in obtaining a majority of 100 in the House in favour of a Resolution condemning the injustice of the then existing system of local taxation, which, unfortunately, still continued—namely, of imposing taxation for national objects on one description of property only. Although that system had been modified by some grants out of the public funds, it still remained on terms under which the nation required from Local Authorities costly services of a national character. He did not desire to insist on the fact that it was a Liberal Government which was then in Office, because the question was one which ought to be entirely divested of Party feeling and Party consideration. The interest of the public would be best served by appealing neither to one side or the other. The case must rest upon its merits. The Government of the day met the Motion of the hon. Member for South Devon much in the same way as they intended to meet this Motion—by an Amendment; at all events, they encouraged the Amendment, for, if he remembered rightly, the Tellers on that occasion were Government Tellers. The Amendment then, as now, was intended to divert the attention of the House from the real question at issue—namely, that the injustice complained of should not be met by procrastination and delay. It was a strange Amendment, for the hon. Gentleman who moved it in 1872, declared that it was desirable the Government of the day should pass by the question of injustice and consider only whether or not it was desirable, having regard to the progress of sanitary legislation, that the new rates which would necessarily follow that course of legislation should be divided between the owner and the occupier. A very pretty Amendment! More rates and new rates to be equitably divided between owner and occupier, so that no other class benefited should be put under the slightest contribution. But, before going further, he wished to make a public recantation. The view embodied in the Amendment was the view of a person most competent to deal with the question—namely, the right hon. Member for Ripon, and at the time he opposed the proposition; but he now believed it was of value, and that great good would be derived from such a division of the rates. They were witnesses to a lamentable degree of apathy on the part of owners of real property with respect to this question which it was painful to contemplate. Perhaps that apathy could only be explained by the knowledge that the occupier was the first to smart for new rates, and that the owner did not feel the inconvenience until the termination of the tenancy, when the rent had to be re-adjusted. He believed that to-night they had another Government which would sanction the evasion of the real question, and that there would be a disinclination to come to a decision as the necessity and justice of granting prompt relief. The hon. Member who would move the Amendment knew perfectly well that its effect would be delay. There was a great deal in it which they all admitted; but he could not consent to the assumption that the only way Members on this side of the House saw out of the difficulty was by putting their hands into the Imperial Exchequer. Many Members on the Opposition side shared with him the view that any relief to be granted ought to be accompanied by the reform of local administration. But what they said was, that if that question was to be handled first they might have a very long time to wait, and, therefore, the last line or two of the Amendment which recited—

> "That a measure dealing with the whole question of Local Taxation and of Local Government, is most urgently required,"

implied nothing less than delay and an excuse for the Government in not dealing with the question. So emphatic a decision as the House came to in 1872 could not fail of its effect. It proved to be one of the signs and warnings of the fall of the Government of the day, and within two years there was a change of Government. There had been two General Elections since, and two changes of Ministry. There had also been a very great change in the composition of the House. There were many new faces in the House, and there might be many new views upon this subject. They would probably hear to-night propositions of a novel kind, though they might contain truths not yet put before the House. But, at all events, these changes and this lapse of time placed the Mover of such a Resolution as his in the position of one who passed over untrodden ground, uncertain what surprises he might meet with, uncertain as to who might prove a foe or who a friend. He would say, however, that he knew one who was not a friend to the view which he and many others held, and that was the hon. Gentleman who intended to move the Amendment (Mr. A. Grey). It could not be said of him, or those who were going to vote with him, that they were eager for a speedy solution of the question, and removal of what was inequitable and unjust in local taxation. If his Amendment was really intended to relieve ratepayers, all he could say was that it was so weak in the loins that it would be of no service at all on the day of battle, but rather an encumbrance. The hon. Member for Northumberland had only had three years experience in that House, and up to the present time the hon. Member had not played a very conspicuous part in the treatment of this subject. This, however, he would say, that with a political nature that had up to the present been regarded as guileless, the hon. Member's Friends must blush to see him put on the Paper an Amendment which, on the very face of it, bore testimony to its having been prepared by some of the "oldest schemers." The Amendment was certainly not that of a young man. Passing that by, he would point out that the subject-matter of his Motion had not dwindled in proportions since 1872. The sums of money now involved were larger than ever, new charges having been imposed on Local Authorities. These charges had increased and were still increasing as requirements on Local Authorities for national services, and it became the duty of Parliament to give some time to their consideration. One question alone had absorbed the attention and time of Parliament in a marked degree—namely, Ireland. Though less sensational, and perhaps as little understood, the question of taxing the nation by local agents was of equal importance. In consequence of the manner in which the statistics had been presented to the House, he should have to confine his observations almost exclusively to the subject of local taxation as it affected England and Wales, although Scotland and Ireland were as largely interested in the question. A yearly revenue amounting at the present time to more than £55,000,000 was involved in the question, without reference either to Scotland or Ireland, and nearly half of that sum was raised from rates. But that was not all. If the revenue raised in that way met all the charges that were imposed, one might pass the matter by; but the worst feature of the case was that loans amounting to the emormous sum of more than £144,000,000 also marked the progress of expenditure. That was a sum equal to about one-fifth of the whole National Debt. There was a special danger connected with that huge local debt, as distinguished from the National Debt—namely, that attention was hardly ever paid to it. Many of the objects for which this revenue was raised were ephemeral, and ought to be met by money out of pocket. Manchester, for instance, without winking, gaily put its hand to a debt of £1,000,000 for a structure, worthy, he admitted, of the town, but a structure which might at any time become a costly bonfire. We met our war charges by payments out of income, and, in the same way, we ought to meet the charges necessary for waging war against disease and poverty. Real property in England was absolutely in pawn for local loans, and was covered with scattered monuments telling of wasteful expenditure—such monuments as closed gaols, unoccupied workhouses, and the results in brick and mortar of sanitary experiments conceived in some great Department of State, and materialized by doctors, engineers, and builders. Parliament was in a better position now to review the whole question than in 1872. In 1869 the right hon. Gentleman the Member for Ripon (Mr. Goschen) complained of the Returns issued by the Home Office, saying that they contained many errors, and complimented Mr. Ward Hunt, then Chancellor of the Exchequer, upon his endeavours to supplement the Returns by independent information. The right hon. Gentleman then said that if the aggregate amount of taxation was too great on certain descriptions of property, it would be the duty of Parliament to take the matter in hand. That was in 1869; but Parliament had not yet dealt with the question as a whole. Referring to the way in which this subject had been dealt with in Parliament, he wished to remind the House that in 1846 the House of Lords appointed a Committee for the purpose of ascertaining what relief could be given to real property in respect of the local burdens. That Committee recommended that relief should be given to landed property in respect of criminal prosecutions, the entire cost of pauper lunatics, and the salaries of Poor Law officers, and they refused to draw a distinction between owners and occupiers. The recommendations of the Committee had, to some extent, been carried out. Its appointment was followed by a Motion brought forward by the late Lord Beaconsfield, who, on the 8th of March, 1849, moved for a Select Committee to inquire into this subject, his Motion, however, being a sort of backhanded blow directed against Free Trade. On that occasion, Mr. Hume moved an Amendment to the effect that the Public Expenditure was excessive, and he recommended the abolition of the Malt and Hop Duties in order to give the people threpenny beer for a penny, and thus to encourage home produce as against foreign. Sir Charles Wood, the then Chancellor of the Exchequer, admitted that local taxation did impose a special burden upon the land, but argued that that was the price which the land paid for local self-government. He was, however, afraid that in the present day but little remained of local self-government for the land but the name. In 1850, on February 10th, Mr. Disraeli made another Motion to refer to a Committee of the Whole House a proposal for the revision of the laws providing for the relief of the poor, with the view of mitigating the then existing agricultural distress. A distinct request was then put forward on behalf of the landowners that they should be relieved of a charge of some £2,000,000 sterling per annum in respect of the Poor Law establishment charges and other matters. The present Prime Minister then said—

> "When he looked to the Motion he saw that which was true, honest, and reasonable involved in it. . . . He would vote for it on the ground of its justice. It was impossible to look at the nature of the tax for the support of the poor without being struck by the inequality of its incidence. But the objection of impractibility did not, at any rate, apply to the proposal now before the House. That was perfectly practicable, and if it were not free from imperfection, it was an approximation to justice. . . . The relief of the poor was a purpose for which, as far as could be done, all property, and not one description of property only, should be liable. . . . He did not believe that in one case out of a hundred the farmer who held the farm from year to year would lose the benefit which this change would give in consequence of the landlords raising his rent to a proportionate amount."—(3 *Hansard*, [108] 1207-8-9-10.)

In the year 1850, the House of Lords again appointed a Committee to sit upon the question of the assessment of the land for the relief of the poor, and that Committee reported—

> "That the relief of the poor is a national object, towards which every description of property should justly contribute, and that the Act of 43 *Elizabeth*, c. 2, contemplated such contribution according to the ability of every inhabitant."

In 1851, Sir Charles Wood, in his Budget Speech, expressed his view that this claim for relief to the land of £2,000,000 ought not to be allowed; but he would give part of the cost of pauper lunatics equal to the cost of ordinary paupers, estimating this at £150,000. In 1868, the hon. Member for South Devon (Sir Massey Lopes) brought forward a Motion to the effect that as local charges had much increased, and were increasing, it was not just or politic "that all these burdens should be levied exclusively on real property," and hinted at relief in respect of the police, lunatics, and the Militia. On that occasion, Mr. Stuart Mill said one method deserved consideration—namely—

> "That of placing a certain proportion of some of these burdens on the general taxation of the country; for when this was done in the way of a fixed proportion it did not destroy, although it might weaken, those motives to economical legislation which so strongly recommended making these expenses local rather than general."—(3 *Hansard*, [192] 154.)

His Motion was withdrawn. The hon. Member for South Devon subsequently, on March 23rd, 1869, moved for the appointment of a Royal Commission to inquire into the present amount, incidence, and effect of local taxation; and the present Prime Minister then said that the question stood in a very forward condition in reference to its claims upon the attention of the Government; and he added, that if the great Constitutional question of the Disestablishment of the Irish Church were once fairly disposed of, he thought that it would be the duty of the Government to make such proposals with regard to it as they thought were called for. The Irish Church had gone, and the Irish land had gone with it; nevertheless, Her Majesty's Government had not yet attempted to deal with this question. On February 21st, 1870, a Motion was made by the right hon. Member for Ripon for the appointment of a Select Committee with the limited object of inquiring whether these burdens should not be divided between the owners and the occupiers. On that occasion, the hon. Member for South Devon moved as an Amendment that any steps in that direction should be postponed until the Government had introduced their promised measure for dealing with the incidence of local taxation. The Amendment, however, was rejected, and the Committee was appointed. On February 28th, 1871, the hon. Member for South Devon made another proposal for inquiry into the incidence of Imperial as well as local taxation, when the Previous Question was carried. In that year a Bill was introduced by the right hon. Gentleman (Mr. Goschen) at the head of the Local Government Board. He thought they might gather from what befell that Bill, how little probability there was of bringing this question to an issue if it were to be hung up until another measure was carried dealing with the subject in a similar way. That Bill proposed a thorough reform of the system of local government. The parish was to be the unit, and the Bill provided for the appointment of a parish chairman. It contained, also, the very valuable provision that all the rates were to be consolidated into one rate. Further, it embodied the proposal that an estimate should be presented to the ratepayers at the commencement of the year, and, of course, it contained a proposal to divide the rate between owners and occupiers. Substantial relief was also to be given to the ratepayers in the shape of assigning to them the whole of the House Duty. At that time the duty was £1,200,000; but, upon inquiry, it appeared that something like one-half of the proposed relief would have gone to the Metropolis, and that very little indeed would have been left for the rural population. However, that Bill became law, and on April 16th, 1872, the question came up again on a Motion of the hon. Baronet the Member for South Devon, who moved—

> "That it is expedient to remedy the injustice of imposing taxation for national objects on one description of property only; and, therefore, that no legislation with reference to local taxation will be satisfactory which does not provide, either in whole or in part, for the relief of occupiers and owners in counties and boroughs for charges imposed on ratepayers for the administration of justice, police, and lunatics, the expenditure for such purposes being almost entirely independent of local control."

That Motion was carried by a majority of

100 votes. In 1874, the present Prime Minister, in his address to his constituents, said that a further portion of the charge hitherto borne by real and immovable property should, with judicious accompanying arrangements, be placed upon property generally. It was a good proposal to go to the country with ; but effect had not been given to that excellent suggestion. It served the right hon. Gentleman's purpose at the time of the Election ; but it had served no useful purpose in legislation. Since that time no measure of very great importance had been carried in the House, excepting that contained in the Budget of the Government which succeeded the Liberal Government, upon which occasion a distinct remission of taxation, and a very sensible one so far as it went, was given to the local ratepayers. The grant to the police was then increased from one-fourth to one-half; there was a capitation grant made to the extent of 4*s.* per week on every pauper lunatic; and there was another equitable provision made — namely, that Government property should be rated, or at all events should pay, a sum of money equivalent to what the rates would be if it belonged to private individuals. Since then, by a Conservative Government, the whole cost of prisons had been removed from the rates and placed upon the taxes. In the present Parliament one or two Motions had been made on this subject, and the hon. Member for Oxfordshire (Mr. E. W. Harcourt) had succeeded in obtaining some remission in the form of a grant for roads. Deputations innumerable had waited upon Ministers in connection with this subject; the usual answers had been given, and they were not very much the better for what had been done, while the form in which relief had been given was condemned by many. He was not going to defend subventions ; but he should have something to say furthur on with respect to the criticism upon them. He had already remarked that there was no Minister charged with the duty of securing economy in the [administration of local affairs ; but he must now refer to the action which had been taken by what he might term a Vigilance Committee—namely, the Local Taxation Committee. He believed that but for the existence of that Committee the local ratepayers would have been burdened with an intolerable amount of increased charges. The Committee was not in any sense a political body, and as, of course, it could not be maintained without funds it received subscriptions from hon. Members on both sides of the House. It charged itself with the duty of impartially examining and reporting upon all measures involving increased charges on the ratepayers, and in the exercise of this useful function it had minutely considered 92 Bills which threatened to impose new or increased rates. It had arrested 73 of those Bills in their progress ; 15 of them had been amended, owing to its action ; and four only had become law. But one of those four—he referred to the Education Act—was a Bill which had already drained the pockets of the English ratepayers—excluding Scotch and Irish ratepayers—to an amount exceeding £10,000,000 in rates, while it had burdened the real property of the country with an outstanding debt amounting to £12,000,000. No doubt, the money had been well spent; but it was hardly fair that this enormous charge should be levied on one description of property alone. These local charges were felt most acutely by those who were least able to meet them—namely, the poorest class of tenants of houses in large towns. They also fell with great severity on the occupiers of land, who derived a very small return for their capital, and who, during the last seven or eight years, had not, generally speaking, except in the North of England, got any return for it at all. Yet they were charged with reference to the rent they paid, and not on their profits. The principle of assessing on the rent in the case of small tenements became a great injustice, and although the rate was gathered from the owner, it still fell on the tenant in the form of increased rent, with scarcely any modification. About 12 years ago the Birmingham Education Society made a Report of a house to house visitation, from which it appeared that in that town there were 10,000 parents receiving average wages just below a guinea a-week. Their average house rent was 4*s.* a-week. The Local Taxation Returns for 1881 showed that in the Birmingham Unions a rate of 4*s.* in the pound was levied. Allowing one-fourth reduction to these small tenants, whose rate was paid by the owner, then each of these houses would have to pay 30*s.* yearly in respect

to the poor rate, which was equivalent to 15 per cent on their rentals, or a direct income tax on their earnings of 6½*d.* in the pound. If they took the case of the rating of farms, it would be found that the rent was no measure of income, nor did it represent the intrinsic value of the land. Some of the poorest land in England commanded a rent nearly as high as the best, because the occupier had temporarily placed in the soil by means of his money and intellect an amount of fertility which was liable to be lost, and the application of which must necessarily be speculative. He was said, however, to have increased the value of the land, and consequently the Assessment Committee charged him on the improvements with increased rates. If these improvements were removed—and they would vanish in two years of scourging crops and unwise husbandry—the taxation would be less on the land. He maintained that the method of requiring Local Authorities to meet national charges was an unfair and a hard one on the occupiers of land; as hard as it was on the tenants of small houses in our great cities. He would call attention to one service required of the Local Authorities that was a national service—namely, the relief of the poor. The right hon. Gentleman the Member for Wolverhampton, speaking in 1867, pointed out that the charge for the poor was as much a national charge as the interest on the National Debt, and that it was perfectly right when we could fix a charge on the whole property of the country to do so. The right hon. Gentleman said—

> "It seems to me that there is considerable injustice, and something like caprice, in saying that persons shall only be liable to contribute to the poor whose property is local and visible. That might be right when the Poor Law originated, because there was then little property that was not tangible; but I think it unjust, seeing how various are the descriptions of other property now held by individuals, that they should not contribute in proportion to that property to this national charge. I was acting on the original Commission appointed to inquire into the old Poor Law, and I was struck upon that inquiry by the extraordinary unfairness in which the charge for the poor fell in different parts of the country, and on different persons, and the vast number who, indeed, then were totally exempt from a charge which ought to fall on every man with the means of contributing to it."—(3 *Hansard*, [185] Appendix, p. 5.)

He should be sorry, however, to have it understood that he was an advocate for one penny of public money passing from the Exchequer to the Local Authorities in aid of the out door relief. He would even go further, and say that the success of the measure of Lord Cranbrook, which dealt with the poor of the Metropolis and established a common fund to meet the charge for indoor relief, had been so remarkable and its operation so efficient that he should be glad to see the experiment tried of the extension of that principle to the counties. It would encourage Guardians to try indoor instead of outdoor relief, and it would be accompanied by a great reduction in the cost of pauperism. The charge for the maintenance of the poor in England and Wales amounted to £9,000,000, and there was received from the Exchequer, by way of aids or subventions, the sum of £600,000. There was a further service required of Local Authorities by the State, and that was with reference to pauper lunacy. The Local Authorities found the money, but had nothing to do with the administration. As far back as 1869 the Prime Minister assumed that the proper care and treatment of destitute lunatics was a national duty, and that the duty ought to be extended to the more costly treatment of these unhappy persons that had latterly been adopted; he proposed to devote some portion of the Irish Church Fund to that object, and he thus at once placed the cost of pauper lunatics among the category of charges that ought to receive State aid. The cost of maintaining pauper lunatics in England and Wales was £1,500,000, and the grant in aid was £500,000; therefore, the aid did not go far enough. It must be remembered that the condition of these unhappy persons was very different from what it was a generation or two ago. He could remember being taken by his father every Sunday to see a pauper lunatic secured by a chain attached to his leg, and his father urged him, if he grew up to see such a state of things continued, to do his best to get it altered. It had been changed, but at an enormous outlay, which fell on one description of property alone. Grants in aid of local taxes had risen from £624,000 in 1843 to £1,762,000 in 1863, and £6,000,000 this year. Among the objects of this relief was the Metropolitan Police; but as it was under the control of the Home Secretary, it ought to be said that the local ratepayers gave the State a subvention of the amount of this rate, instead of it being said that the ratepayers received a State subvention of £450,000. In the same way the Exchequer received a subvention from Ireland towards the cost of the Irish Police, which was a military force in everything but the name. In the six years immediately preceding the increase of the grant for the police, the increased expenditure in the counties upon the police was £29,000 yearly, and in the seven years following the doubled grant the increased cost averaged £21,000; so it could not be said that the increase of the subvention had promoted extravagance. Where the police cost £3,000,000, the State contributed £1,000,000. In all the subventions, which, in 1863, amounted only to £1,762,000, in the present year amounted to £6,000,000, a considerable proportion of which, as in the case of the Metropolitan Police and the Irish Constabulary, were only nominally subventions. As to the inequitable features of the question, he would point out that the incomes taxed under Income Tax assessment amounted to £51,500,000, derived from land, houses, railways, and other real property; while no less than £297,000,000 of unrated income was entirely free from liability to local rates. The Amendment referred to the postponement of relief for a measure of county government. It was suggested in the Speech from the Throne last Session, but no mention was made of it this Session. What was the reason for this change of attitude on the part of the Government? Instead of the desired scheme, there was the much more hopeless plan of reforming the Municipality of London. It appeared to him that the Government, after the demand of the Irish Members for local self-government, were determined to evade a question that in a manner touched the fringe of the great Home Rule problem. Did the hon. Member for South Northumberland know what his Amendment would mean if it were carried? It meant the re-arrangement of all the local areas in England, and re-construction of the whole form of local government, a question that could not possibly be settled in one year, or perhaps even in two. The real object of the Amendment was, he had no doubt, to postpone the consideration of the question, and to enable hon. Members on the other side of the House to tell their constituents that they "had not voted with the hon. Member for South Leicestershire because his demands were so extravagant, but had, in a more moderate spirit, voted for a complete reform of the whole system." He hoped that the House would not fancy that the difficulty could be met in that way. It was for the Government of the day to take the necessary measures, and he therefore begged right hon. Gentlemen opposite not to leave the matter in the hands of private Members. He should listen with great anxiety to what might fall from other hon. Members upon the subject; but the equities of the case would not be met by any further postponement. Of that he was convinced, and on that he must insist, and he could only hope that the House would not shirk the points at issue by adopting an Amendment which meant nothing but uncertainty and further delay.

Viscount EMLYN, in rising to second the Motion, said, he would remind the House that in the course of last year's debate on this subject, the Prime Minister had apparently admitted that a case had been made out for the relief of the local taxpayers, and had justified his refusal to make an immediate grant only on the ground that the whole question must be dealt with by a large measure of reform, promising that on a future occasion the Government should deal with the matter. The Government had, in fact, pledged themselves to open the question—though it seemed to him to have been open long enough. What the country wanted was not a comprehensive measure of reform, but the relief of the taxpayers from an injustice that was year by year becoming less tolerable. That being so, he thought it was high time that the House should come to some definite resolution, and point out to Her Majesty's Government that the time had arrived when the question of local taxation should be considered. It might be asked, in the first place, whether the poor rate was really just, and whether it was imposed in accordance with the intention of the original Act? He thought that anyone who had looked into the matter would see that these local taxes were very unjust, and, he believed, were opposed to the intention of the original Act of Elizabeth under which it was laid down that the charge for the maintenance of the poor was not to fall upon real property alone, but upon other descriptions of property as well. If the original Act was not just, why was it not repealed? Simply because it was found to be just, and these burdens were now continued merely because it was found convenient to do so. Many cases had been tried arising out of that Act. In 1706, it was held that a farmer was not taxable for his stock-in-trade, but that a tradesman was so taxable. That decision was subsequently overruled, and the practical result of this and other cases was that personal property was now absolutely relieved of the duty of contributing to the poor rate, not by any permanent Statute, but by an Act passed for convenience sake annually from year to year. The original enactment had never been repealed, and it was consequently to be presumed to be just. Now, as for the best method of giving relief, he said the relief should be given to objects of national importance, so as to lead to economy and improved administration, and it should be given so that the country would gain something tangible over and above the actual sum in hard cash that was paid for it; and last, but not least, so as to benefit some class of the community most in need of it. Anyone considering the subject, and keeping these aims in view, would naturally be led to the consideration of the system of outdoor relief, and would, he thought, be led to the conclusion that in dealing with that system more good might be done, and more relief effectually given, than in dealing with any branch of local taxation. He would suggest, also, in order to induce the Government to say on what lines they meant to work, that a grant should be made from the Consolidated Fund towards some part of the cost of the maintenance of indoor poor. This was by no means a new idea, it having already been suggested by several authorities. The relief of the poor was an object of immense national importance. No one could dispute that who reflected upon the vast social considerations involved, the great harm that might be done by bad administration, and the great good that a better system of administration might produce. It was often urged that this proposal would lead to extravagance; but he had never heard that argument brought forward by those who had studied the question fully for any length of time. The whole tendency to extravagance was in giving outdoor relief, and if Guardians were discouraged in so doing, the result would be of great pecuniary advantage to the country, for reduction in outdoor relief meant reduction in pauperism. All the assistance given in aid of indoor relief must lead to diminished expenditure. It was a fallacy to suppose that indoor relief could ever lead to extravagant administration, nor would the adoption of the suggestion necessitate any additional centralization in the system of local government compared with that which at present existed. He claimed for the suggestion he had made that it would not require any delay at all in bringing it about. It would involve no fresh officialism, no new machinery, and the step thus taken in the direction of abolishing out-relief would be an enormous boon to the country. If they were to carry out a system of this kind, he believed that in a very few years they might, in addition to the £2,000,000 of which they would now relieve the taxpayer, effect a saving of another £2,000,000 in out-relief. The condition of the poor was better where the administration of the Poor Law was stringent than where it was lax. Representations had been lately made by friendly societies, showing how a lax administration of out-relief was undermining the good influences which those societies were trying to establish. One often heard it said that it was very hard that out-relief should not be given. But could it be maintained that in those Unions in which that kind of relief was dying out, the poor were not as well off as where it was scattered broadcast? As to the objection that this proposal would lead to increased centralization, he would like to ask whether anyone could tell him of any power which the Local Government Board would require to get if assistance was given towards the maintenance of the indoor poor, which that Board did not possess already? It was a curious fact that while the variation in the number of indoor paupers was only slightly affected by local circumstances and local administration, outdoor pauperism varied almost absolutely with such circumstances and such administration. The mean number of indoor paupers of all classes at one time between 1874 and 1879 varied about 13 per cent. During the same years the mean number of outdoor paupers varied 35 per cent. That showed the absolute necessity of coping with this great and gross evil, and that the Government would be wise in availing themselves now of the opportunity of doing so. There was no one who looked at the figures bearing upon the pauperism of London and of the country but would wish that the London system should be extended to the country. Between 1871 and 1881, over the whole of England, the cost of the maintenance of the indoor poor had increased 18 per cent, and the cost of the outdoor poor had decreased 24 per cent. In the Metropolis, where they had the Common Fund, the cost of in-maintenance during the same period had increased 26 per cent, and the cost of out-relief had decreased over 51 per cent. If they could have extended over the whole of England the same rate of decrease as was going on in the Metropolis, they should, between 1871 and 1881, have wiped off the pauper roll more than 100,000 paupers. According to the last Report, the ratio in all England of out-relief to the total of relief was a little over 59 per cent. The highest ratio was, he regretted to say, in the Principality of which his constituency (Carmarthenshire) formed a part, where it was over 83 per cent. He made that admission with shame. In the Metropolis it was only 26 per cent. Did not that point strongly in the direction that the system in London was good, and the system in the country bad? Would it not be wise, then, to adopt the Metropolitan system of relief, which had been found absolutely successful, and apply it to the whole of England? He was told that this diminution of relief was a hardship to the poor. But his hon. Friend the Mover of the Resolution could mention one Union where there was no out-relief at all; and could any one tell of any hardship in that district? It had been asked, if out-relief was such a bad thing, why not sweep it away altogether? They could not do that all at once, but must proceed by degrees. There was a move in that direction; but while they were waiting the great taint of hereditary pauperism was spreading all over the population, and leaving its mark behind in every direction. It was thought by many that the abolition of outdoor relief would be a great boon. It had been pointed out by the Local Government Board that the amount of outdoor relief did not represent more than 3*d.* per head per day. It was impossible to escape from the conclusion either that we had a regular system of relief in aid of wages, or that the doles that were given were not sufficient to keep paupers from starvation, and thus more misery was caused by the smallness of the doles than would be caused by forcing every pauper wanting relief into the workhouse. Coming to the Amendment of the hon. Member opposite, he argued that the Government could not fail to oppose it, because it would absolutely pledge them to one certain course, the Government having always declined to tie their hands by the acceptance of an arbitrary Resolution. The Resolution of his hon. Friend, on the other hand, would, if accepted, leave the Government perfectly free. It only impressed upon Her Majesty's Ministers that what they stated would be done last year ought to be done at once. The Amendment contemplated delay, for it spoke of the introduction of a measure, and neither this Session nor during the next was there the slightest chance of the success of any comprehensive measure of reform. The country was sick of being told that it was to have comprehensive measures of reform. What it wanted was help. In conclusion, he expressed an earnest hope that the Government would deal with the question at once.

Motion made, and Question proposed,

"That no further delay should be allowed in granting adequate relief to ratepayers in Counties and Boroughs in respect of National services required of Local Authorities."—(*Mr. Pell.*)

Mr. A. GREY rose to move, as an Amendment—

"That this House, recognising the connection which must exist between the Reform of Local Taxation and that of Local Government, is of opinion that the relief granted to ratepayers in Counties and Boroughs should be by the transfer to Local Authorities of the Revenue proceeding from particular Taxes or portions of Taxes, and that a measure dealing with the whole question of local taxation and of local government is most urgently required."

The hon. Member the Mover of the Resolution had imputed to him an intention of desiring to postpone legislation upon the subject of local taxation, because he had ventured to say in his Amendment that local government reform should accompany any measure for the reform of local taxation. He wished emphatically to repudiate any such intention. He assured the House that his Amendment was not proposed for the purpose of delay, or of diverting the attention of the House from the burdens under which real property was suffering, but in order to secure that the whole question of local government might speedily be dealt with on a broad, satisfactory, and comprehensive basis. The noble Lord opposite had taunted him for asserting in his Amendment that legislation on the subject of local taxation and local government was urgently required, when, in reality, there was no chance of immediate legislation. The noble Lord might, however, have taunted the Mover of the Resolution in exactly the same manner, because he had asked that measures of relief should be granted "without further delay." On the Ministerial side of the House it was conceded in respect of local taxation that real property was unduly burdened, and that legislation was urgently required, and if the present Parliament were to last its natural length, and the Government should not have solved the present question before its termination, Liberal candidates would have a less enthusiastic reception from their constituents at the next General Election, than they had had at the last. His object was, not to postpone the consideration of a measure of county government reform, but to insure the speedy passage of a measure of a broad and comprehensive character. If they should fill the pockets of the ratepayers by dealing with the question of taxation alone, might they not expect to find, when they should ask for a reform of local government, that all the reforming energy of Gentlemen opposite would have oozed out of the palms of their hands? While he accepted as a compliment the description of his Amendment as too clever to proceed from so young a hand, he assured the hon. Member for South Leicestershire (Mr. Pell) that he would have been nearer the truth if he had looked at it as representing the ingenuousness of youth, rather than the craftiness of a veteran schemer. The Amendment had nothing disingenuous or crafty about it whatever; it was only the simple expression of his honest belief that in order to secure the speedy passing of a complete measure of county government, it was absolutely necessary that a scheme for the reform of local taxation and local government should go together. The noble Lord made a speech which must be considered as extraordinary when made in support of the Resolution, because the object of his speech was to show that outdoor relief was bad, and that some step should be taken to induce Boards of Guardians to give indoor rather than outdoor relief. Every argument which the noble Lord used, could be used as strongly and effectively in support of a proposal to charge the costs of the indoor poor on the county rates, and not on the Consolidated Fund. He claimed the noble Lord as in reality a supporter of the Amendment, for the policy of the Amendment would be more likely than that of the Resolution to attain the objects aimed at by the noble Lord—for while it would give the Guardians the required inducement to give indoor rather than outdoor relief, it would have the great advantage of getting rid of the evil arising from the interference of officials in London with the local administration of the Poor Law. He had listened anxiously, but in vain, for a proposal from the hon. Member as to how he meant to grant local relief without delay. The hon. Member said that he did not wish his Resolution to be regarded as an attack on the Consolidated Fund; but the relief could only be given by grants out of the Consolidated Fund, so that the hon. Member was not quiet ingenuous in saying that he did not propose grants out of the Consolidated Fund, and, at the same time, declaring that they must get relief without further delay. There were three ways in which personal property might be called upon to contribute to the expenses of local government. 1. By the present plan of Treasury subventions in aid of particular rates. 2. By a policy of delegation to the central authority of powers which were now administered by local bodies; or, 3, by the allocation of certain taxes, or parts of taxes, to the local authorities. Now, there were obvious objections to the policy of subvention. It was impossible to receive Government pay without submitting to Government control, and control from London meant not only centralized administration but increased expenditure. Some people said that subventions in aid of particular rates did not reduce the motives for economy in local bodies. That was not the teaching of experience. It was only natural that if half the expenditure was supplied by an outside source, the precautions of local administrators against expenditure would not be so careful. No argument was so common in certain districts as the argument, "Never mind, Government pays half;" and not only was the fact of Treasury aid a cause of increased extravagance in local administration, but the Government control which accompanied Government subventions often caused expenditure which would not otherwise have been incurred. Members representing borough constituencies would bear him out in his assertion that the requirements of Police Inspectors and Lunacy Commissioners often necessitated large expenditure, which would never have been allowed or tolerated by the local authorities had they been left to themselves. The arguments against delegating to the Central Government powers now administered by local authorities were of the same character. The object of Parliament ought to be not to encourage the system of over-centralized administration, but to put matters on such a footing as would enable the Legislature to hand over, safely and without fear, the fullest possible powers of administration to local authorities. The policies of subvention and of delegation were bad, because they both involved an over-centralized administration and increased expenditure, and because they were both directly opposed to the principle of local self-government, which it was their object to promote. On the ground, then, that subvention and delegation were both wrong in principle and extravagant in practice, he hoped that the House would not support the Resolution moved by the hon. Member. But the objections that were fatal to a policy of relief by delegation or subvention, could not be used against a policy of relief by allocation. By allocating to local authorities certain taxes, or parts of taxes, contributed by personalty, they would obtain the desired relief to the ratepayers, without necessitating the evils of Government control and over-centralization. He would just name the taxes which were capable of being handed over to local authorities, if the House should so determine. The house duty, which last year gave at £1,700,000; the game and gun licences, £250,000; the dog licences, £350,000; the carriage licences, £550,000; the armorial bearings licences, £80,000; the drink licences, £1,800,000. He mentioned these taxes in order to show that if the Legislature determined upon the principle of allocation as a means of relief, there were several taxes yielding an aggregate amount of nearly £5,000,000, between which it would be possible to choose. He admitted that there were special arguments in favour of, and special objections against, the allocation of each one of these particular taxes which he had named. He would not weary the House by dwelling in detail on each tax. He would only say that when the House proceeded to discuss the allocation of particular taxes, one element in its consideration must be whether the revenue proceeding from certain taxes would or would not be increased by the handing over of those taxes to local authorities. The House Tax last year yielded, in round numbers, £1,700,000, of which £700,000 was supplied by London. He did not hesitate to say, that if this tax was handed over to local authorities, it would yield in extra-Metropolitan districts — he would not speak for London, as he did not know enough about it— nearly double the revenue which it at present supplied. There was an immense deal of jobbery in the assessment of rating for houses; and, in order to cure this jobbery, it would be necessary to have a big local authority responsible for assessments for all purposes, and with power to levy and appropriate the tax. There was no doubt also that the game, gun, and dog taxes would yield a much larger revenue if they were handed over to the local authority. It was notorious that these taxes, levied as they were by the Central Authority, were continually evaded. There was one great objection, however, which was common to the allocation of every one of those taxes, and that was that none of them could be allocated without interfering with the taxation of the country to an amount equal to the amount of revenue they at present supplied. There was another tax, however, which admitted of being allocated to which this objection did not apply, and that was the Income Tax. The Income Tax was properly a war tax; and some hon. Gentlemen on that side of the House would be glad to see in the omission of the Income Tax altogether from the Imperial Revenue a security for the continuance of peace. A penny in the Income Tax yielded about £1,900,000. According to the last Finance Accounts, the proportion which real property contributed to the Income Tax was not £4,000,000 out of a total of £10,000,000. Considerably more than one-half of the Income Tax would represent the portion contributed by personal property. Now, that method of relief would be best which would most effectually secure these three results—first, the contribution of personal property to the expenses of local government; secondly, its contribution in such a manner as to interfere as little as possible with the National Revenue; and, thirdly, its contribution in such a manner as to make it worth the while of those who were taxed to busy themselves in promoting the efficiency and economy of local administration. Now, if the House should decide on utilizing the Income Tax for the purpose of making personalty contribute a share towards the expenses of local government, there were two ways in which it might proceed. The Central Authority might levy the additional amount required, and hand over to the various local authorities, according to some rule to be determined by the House, the amount to which each authority was entitled. The objection to that scheme was that it would not interest Income Tax-payers in the local affairs of their own district. There was another scheme, which appeared to him to be preferable, and that was that the Income Tax which was raised for the relief of local rates should be localized. He was aware that there were difficulties in the way of this method, but, he believed, no difficulties which could not be met and surmounted. The local authorities, when preparing their annual budget, would come to an estimate as to what the amount of their expenditure for the year would be. They would then issue precepts upon the rate collectors and Income Tax Commissioners, requiring them to levy the amounts which might be required from them respectively, according to some scale laid down by Parliament. By allowing the local authorities to call upon the Income Tax Commissioners to supply out of Income Tax levied within their district amounts equal to that required to defray the charge of certain rates, we should secure the objects at which we aimed—namely, relief to the ratepayers; non-interference with the National Revenue; protection to localities from London control; and, lastly, the directly interesting the Income Tax-payer in the affairs of local administration. Having endeavoured to show why the policy of allocation was preferable to that of subvention or delegation, and having admitted that it was desirable to call upon personal property to contribute, he would be asked, why not allocate the taxes immediately? His answer to that was that there were no authorities at present to which we could allocate them; and this fact showed, in his opinion, the urgent necessity that existed for the reform of local government; and the reform of local government was not only desirable because it was necessary in order to enable relief to the ratepayers to be given by way of allocation, but it was desirable also in itself; because there could be no doubt that by a reform which would bring about the simplification of areas and the consolidation of authorities, the number of establishments would be reduced and the number of officials diminished, and, consequently, a great saving in the expenditure would be effected, and a great relief to the ratepayers secured. A reform of local government would bring the best sort of relief that could be devised—namely, that relief which came from the reduction of expenditure. Their present system of local government was a positive disgrace. The right hon. Member for Ripon (Mr. Goschen) described it 12 years ago as a chaos of areas, a chaos of authorities, and a chaos of rates; and that statement, true in 1868, was equally true now. Owing to the confusion and complexity of the arrangements, which could not be dignified by the name of a system, a scandalous, because an unnecessary, burden was inflicted upon the ratepayers; and he hoped that the Government might be able, at the beginning of next Session, with the assistance of hon. Gentlemen opposite, to pass a broad and comprehensive measure of local government reform. In an essay written by Mr. Phillips, and published by the Cobden Club, was a vivid description of the present state of things, and, with the permission of the House, he would quote—

> "Chaos alone describes the present condition of local affairs. Complications exist where there should be uniformity. Districts overlap and interlace one another without order or reason. The burdens are imposed by diverse authorities; the duty of collecting is entrusted to a multitude of officials; while the administration of affairs and the expenditure of the money is entirely beyond the control of the authority which imposes the burden. The result of this confusion is that persons are unequally taxed, and that the ratepayer, puzzled by the multitude of taxes imposed upon him by so many authorities, is practically helpless, and incapable of taking an intelligent interest and exercising his due influence in the adminstration of the funds to which he has to contribute."

That was a true and accurate description of the existing system of local government. For different purposes in the same locality, there were different authorities, who were elected at different times and in a different manner, and the areas over which their jurisdiction extended differed nearly all of them one from the other. Whether hon. Members looked at the date of election, the scale of voting, the tenure of office, the method of election, the qualification of candidates, or the area of jurisdiction, they would find that each separate authority had a different rule and a different method. That being the case, it was not surprising that the ratepayers were utterly unable to exercise any control over the expenditure of the rates. Owing to the confusion of present arrangements, they were compelled to see their money poured out through half-a-dozen different channels without being able to trace the processes which regulated the outflow. To improve this state of things it was absolutely necessary to pass measures of local government reform, which in place of the present haphazard system of overlapping areas and conflicting authorities, involving the ratepayers in much unnecessary expense, would establish a system under which boundaries would be coterminous, and the different powers at present exercised by so many different authorities, concentrated in the hands of single bodies which would be open to the pressure of the ratepayers, of which they should be fairly representative It had been said that the various Local Authorities in the Metropolis expended on their establishments a sum of something like £750,000, one-third of which—namely, £250,000 —might be saved by the creation of one Municipality for the whole of London; and what was true of London was, to a large extent, true of the country. Great relief to the rates would result from broad measures of local government reform, and he trusted that the Government would take steps to carry the measures of which they stood so much in need; and he hoped that hon. Gentlemen opposite would not be led away by the hints of the hon. Gentleman, and of the noble Lord, that his Amendment was a dishonest Amendment, proposed to divert the attention of the House from the true point at issue, and that they would believe that he was as anxious as the hon. Gentleman himself to see passed, not only the reform of local government, but the reform of local taxation as well. He begged to move the Amendment of which he had given Notice.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "this House, recognising the connection which must exist between the Reform of Local Taxation and that of Local Government, is of opinion that the relief granted to ratepayers in Counties and Boroughs should be by the transfer to Local Authorities of the Revenue proceeding from particular Taxes or portions of Taxes, and that a measure dealing with the whole question of local taxation and of local government is most urgently required,"—(*Mr. Albert Grey,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. A. J. BALFOUR said, his hon. Friend the Member for South Northumberland (Mr. A. Grey) had devoted the latter part of his speech to advocating some modification of the existing system of local self-government. He (Mr. A. J. Balfour) also thought that some reform of local self-government was required; but, probably, his scheme would differ from that of the hon. Member. It appeared to him that his hon. Friend was inconsistent in two parts of his speech in dealing with the subject.

One object which he had in moving his Amendment was to give the motive force to legislation, that motive force being the anxiety which owners of property had in diminishing the burdens of local taxation; but when he came to discuss the question of local taxation, one of the great arguments he used was that if local self-government were reformed, it would become a far cheaper machinery than it was at present. But if that were so, that motive force which he desired was now in existence. Then, when the Mover of the Resolution said the burden on the labourer and the artizan class would be lessened by any relief from the Imperial Exchequer, his hon. Friend (Mr. A. Grey) answered the argument by saying that the relief given to the lodger who paid rates would go in the end into the pockets of the landlord. Unquestionably, as time went on, the landlord might be expected to reap some of the benefit which was conferred on the ratepayer; but that was no argument against the justice of relieving the landlord. He (Mr. A. J. Balfour) went further, and he believed that if they could remove from the small occupiers of lodgings in London and other great towns some of the burdens now imposed on them, they would be doing something to raise their permanent condition quite apart from anything they did to relieve the owner of real property. His hon. Friend the Member for South Northumberland had complained that the Mover of the Resolution had not stated exactly in what direction the relief was to made. If he had listened to the speech of the Seconder of the Motion, he would have seen that they had a very specific plan. His hon. Friend complained also of the proposal in regard to indoor relief, and said it would lead to extravagance and centralization. But the noble Viscount who spoke from behind him (Viscount Emlyn) had shown that the whole system of indoor relief was as much centralized as it could be, and that it was not open to extravagant use. He could not doubt that the acceptance of the Amendment must be to defer, perhaps, for an indefinite time the particular relief now sought. The Motion did not require detailed statements to support it. Both sides were agreed as to the equity of their demands. The real controversy was as to the time when the redress should be effected. They said that the question was naturally and properly separable from that of local self-government; that it could be settled without reference to any other, and without bringing in a Bill, by the Government acting in their financial capacity. His hon. Friend wished them to wait for the Government measure; but they had no guarantee that the Government would carry out the measure they had proposed. He hoped the House would not be misled by the ingeniously-worded Amendment of his hon. Friend; but that they would, by assenting by a large majority to the original Motion of the hon. Member for South Leicestershire (Mr. Pell), do something to compel the Government to carry out the pledges they had so often made in vain.

Mr. H. H. FOWLER did not think the question was so simple as his hon. Friend who had just sat down seemed to suppose. In his opinion it could not be disposed of by a simple Resolution. A great many questions were involved in it. He was anxious to put before the House how it affected that portion of the community that bore the largest share of local taxation. He would ask them to refer to the figures given by the hon. Member for South Leicestershire (Mr. Pell). He said that the total amount raised by local taxation was £32,500,000, of which £27,000,000 was raised by rates. Of this sum of £27,000,000, £5,500,000 was raised in London, £10,500,000 in municipal boroughs, £7,500,000 in mixed urban and rural districts, and only £3,500,000 in purely rural districts. He (Mr. H. H. Fowler) wanted the House to see that this question of local taxation affected not only those who lived in rural districts, but they who lived in towns to a very great extent. The result of the last 10 years was not so gloomy as his hon. Friend supposed; for whereas, 10 years ago, local rates were 3*s.* 4*d.* in the pound, last year they were only 3*s.* 9¾*d.* in the pound. It was clear that boroughs had a material interest in this question. The fundamental principle to be got over was that of the area. The Report of the Committee presided over by the right hon. Gentleman the Member for Ripon, pointed out the complication of the local areas. These areas were grossly unjust as regards the districts outside the municipal boroughs. As to the towns, the areas of the municipal boroughs were settled 50 years ago, long before the present state of things had sprung up. Speaking from his own knowledge of many large boroughs in the Kingdom, the facts with regard to them were these. As people in boroughs, whether manufacturers or merchants or professional men or tradesmen, made their money they moved outside the limits of the municipal boroughs, though they continued to make their income inside those limits, and so practically escaped all payment of rates. The first question requiring attention was the extension of the areas of municipal boroughs; and he hoped the President of the Local Government Board would consider whether those areas might not be extended by Provisional Order, or some such mode of procedure, instead of by the expensive and almost prohibitory machinery of a Private Act. The last attempt that was made to deal with the question of assessment was made by the right hon. Gentleman the Member for North Hampshire (Mr. Sclater-Booth), when he proposed, in 1878, that there should be a uniform assessment throughout the Kingdom. At present, a 1*s*. rate in London represented 1*s*. in the pound, whereas in Lancashire it represented only 9*d*. in the pound. With regard to the relative incidence of rates on real and personal property, he entirely sympathized with the hon. Member for South Leicestershire. Why should taxes be assessed on only one description of property, when the expenditure was for the benefit of all? Why should real property bear the whole burden of local taxation, while property that derived just as much benefit from the expenditure was exempt? This was a question which the Government of the day must be expected to grapple with, rather than amateur politicians. Outside the House Duty there were £3,500,000 of what were called licences and establishment taxes—that was to say, licences for carrying on businesses, and taxes for luxuries used in dwelling-houses. He should object to applying the House Duty in aid of local taxation; it was better to leave the House Duty alone, and deal with other taxes. The question was how relief was to be given. A large local expenditure had sprung up during the last 10 or 20 years, which was for the benefit of all classes and all kinds of property, but yet to which only one class and one description of property contributed. He called on the Government to remedy this injustice. Another question was that of apportioning between the owner and occupier the taxes that were levied on land or houses. The Report of the Committee presided over by the right hon. Member for Ripon suggested that there should be direct and specific legislation, laying down what taxes ought to be borne by the owner, as owner, and what by the occupier, as occupier. In towns taxation was levied on the occupier for the benefit of the owner, which, if the expenditure was wisely laid out, would, in a comparatively few years, tend to improve the towns. The expenditure was made entirely at the cost of the occupier, although the owner had the real benefit of it. For instance, the owner of a ground-rent did nothing in the way of expenditure, which was thrown entirely on the occupier of the house, and at the end of the lease the owner reaped the exclusive benefit of that expenditure. The Committee recommended that local taxation should be assessed so that one-half should be paid by the owner and one-half by the occupier. With respect to the remarks that had been made as to the position of the Income Tax, he should like to point out the enormous increase in the assessments. The increase during the last 10 years upon personalty, as compared with the increase on real property during the same period, was very marked. The increase upon real property had been in 10 years £31,000,000 sterling, whereas the tax on earnings had increased to £486,000 odd. The Income Tax, under Schedule D, was between two and three times as much in the large towns of England as the assessment under Schedule A, which indicated that the earning power of the towns was in excess of its property value, something like two-thirds to one-third. If they were to have economy, the wisest course was to vote taxes in which Local Authorities would be interested in getting as much out of it as possible. If the Government gave a locality £50,000 towards the police, that would be spent upon police, outside police the town would have no interest in it; but if Liverpool, Birmingham, Manchester, or Leeds had a certain amount of taxation apportioned to them for local purposes, the whole economical power of the towns would be used to keep down the expenditure to its proper limits, in order to make the sum given by Parliament go as far as possible. He merely threw out these remarks by way of suggestions; and he would ask those who followed him to consider this question, not only with regard to its bearing on taxation and expenditure of the rural districts, but as bearing on the taxation and expenditure of the urban districts.

SIR BALDWYN LEIGHTON: Sir, as I have had a Motion on this subject on the Paper since the first day of the Session, and also gave Notice of a similar Resolution last year, I hope I may be allowed to make some observations on the subject to the House. The question is sufficiently large and complicated as it is; but it has been still more obscured by partizanship and misrepresentation. To-night, however, there does seem more consensus on the subject, and an evident desire, I think, to approach the question dispassionately on its merits, from its economic and equitable aspect. Now, I will not go over the history of this question, which has been ably stated by the hon. Member for Leicestershire; but I want to make it clear to the House why the ratepayers have exhausted their patience, and insist that to-night a vote shall be taken on the question, to see who is for us and who is against us. In 1869, after two or three former debates on the subject, the present Prime Minister declared that the question of local taxation was one of such pressing importance that as soon as the Irish Church legislation was cleared away, it required the immediate and urgent attention of the Government; but, although that is 14 years ago, no relief has been given by the Party now in power to the overburdened ratepayer, unless we except the small contribution to the roads, obtained by the hon. Member for Oxfordshire last year. In February, 1882, a deputation waited on the Prime Minister from the Central Chamber of Agriculture, and obtained from him a sort of undertaking that he would deal with it at once, and the subject occupied a prominent position in the Speech from the Throne, but no step was taken; and this year the subject is conspicuous by its absence both from the Speech from the Throne and the Budget. And that is not all, for though the Government profess to be anxious to deal with the question, and acknowledge the justice of the case, yet they go down to their constituents in the country and use very different language. They say that "not only does real property not pay too much, but it does not pay enough." They say—"If you go and give any relief to local rates it will be quartering the landlords on the State." They say further—"If you give any relief to local taxation you will be relieving property at the cost of labour." This langurge, remember, is not used by irresponsible Members of the Party, but by right hon. Gentlemen, Members of the Cabinet. They have even used stronger and more unjust language, which I will not quote to-night, because I desire not to introduce partizanship, still less personality, into this question; but in the interests of my constituents, and the ratepayers generally, I am bound to state as much as this to explain why we now insist on this question being dealt with without further delay. We will not be juggled with any longer. And there is another point I must refer to here, because it seems to affect the question and to delay a settlement. There would appear among a certain section of hon. Members opposite a sort of blind hostility against landowners; I believe it not only to be blind, but unreasonable and ignorant. I believe, if those hon. Members knew how some landowners had poured out their substance like water in improving the condition of those about them—on principles wholly uncommercial—that is to say, giving their whole time and trouble, and receiving about 1 per cent for their outlay—if they realized this, their feeling of hostility would be changed into one of respect and admiration, and even of apology, for the language sometimes used. I do not attempt to discuss or combat that feeling; but under it, or with it, there is a fallacy which I must refer to presently. That is, that relief of local taxation is a landowner's question; it is essentially an occupier's question, as I will presently show — though the hon. Member for Wolverhampton has already, speaking as a Borough Member, exposed that fallacy. Sir, these are the reasons why the ratepayers have become rather sceptical of the sincerity of hon. Members opposite in their undertaking to afford this relief. Now, the amount of rates in boroughs is about 5*s.* in the pound—that is to say, a labouring man who is paying 4*s.* a-week for a wretched residence is taxed to the amount of 1*s.* per week for public rates. One of the most important subjects of the present day is the housing of the labouring population in our large towns, and especially London; it is a question of cost, and you will find the question of local taxation to be intimately bound up in it. I want to see that 1*s.* per week reduced to 6*d.*, or less. The average amount of rates in agricultural districts, though nominally lower, falls really quite as severely. The amount is about 3*s.* in the pound; but as the farmer is assessed to rates on twice his estimated income, he is really paying an Income Tax of 6*s.* in the pound, and this at a time when, owing to the agricultural depression, he can hardly pay his way at all. Sir, looking at those simple facts and figures—and I will defy hon. Gentlemen to alter them by a penny—I say our long-suffering and patience under these burdens have been most unparalleled, and I could almost say with Warren Hastings—"I am amazed at our moderation." For just consider how these rates have come and grown. And first as regards the rates on the farmer. At the time of the repeal of the Corn Laws it was stated, both by Sir Robert Peel and Lord John Russell, that Free Trade must be accompanied by fair taxation; and Sir Robert Peel made some subventions in consequence, but no adequate relief has been given. Therefore, when hon. Members say that they want to "look at the question as a whole," we must remind them that political Parties have been looking at it in that aspect for about 35 years, and that we are beginning to get rather impatient of being "looked at as a whole." These rates may be divided into three classes—that is, public or national rates, exclusive of what may be termed purely local or private, such as sewers, and paving, or bridges. There are the old rates for poor and roads, the modern rates for police and lunatics, and the new rates for education and public health. As regards the last, I will say at once I do not suggest any further relief from other or Imperial sources; only the incidence requires re-adjustment. The education rate should, as far as practicable, be divided between owner and occupier, and the sanitary rate should be limited to the property benefited. Now let us consider these other rates. The poor were, up to the time of the Reformation, maintained out of the tithes, which was, in fact, intended for them partly. I mean, of course, the great tithes now chiefly alienated. The 43 *Elizabeth* threw the charge on the general income of the parish, as is well known to all who have studied the subject, and now generally acknowledged. But, after some confusion and numerous decisions as to the assessment of personalty, an Exemption Act was passed in 1840 for one year, and continues to be passed every year; but the original Act has never been repealed. Then in 1863 we had the Union Assessment Act, consequent on what is known as the close parish system; but some of the results of this were not then foreseen, especially as regards assessments of town and country ratepayers. However, the upshot has been that whereas originally the poor of a parish were maintained by the general income of the inhabitants according to their ability, now the poor of a whole Union are thrown upon one description of property in such parish; and a mineral or manufacturing district, producing great wealth, and also great pauperism and crime, may be coupled with a poor agricultural parish, which has to maintain that pauperism and police; but whereas the agricultural parish is assessed upon its whole income, the mineral parish is assessed at perhaps one-fourth of its income. Then as regards roads—I mean main roads. The first Statute on the subject is in the time of Philip and Mary, which directs the roads to be repaired by a species of "corvee"—that is, all the inhabitants are to bring horses, waggons, and labour to repair their roads. By a Statute of William and Mary, the charge was distinctly laid on real and personal property in the parish equally by way of rate; but even they could not maintain or make them, and turnpike trusts were invented, which have lasted to the present day, and have only been gradually dissolved. But while they existed the incidence of the rate has been altered, the law has been changed, and the unfortunate farmer, as the chief ratepayer in a rural parish, wakes up in his distress to find himself saddled with the whole cost, whilst he can prove almost to the fraction of a penny, by the amount of his tolls, that his user of the roads only amounted to one-third or one-fourth of what he is now called on to pay. The injustice of the present incidence of these rates has now been acknowledged by the Report of the Select Committee of the House of Lords on Roads in 1881, and the Report of the Royal Commission on Agriculture in 1882. Then the charge for police, at first optional under the Act of 1839, and later compulsory, with a grant of one-fourth from the Treasury, was thrown on the rates during Protection between the years 1840 and 1846. The charge for lunatics was thrown on the rates in 1844, but has since then greatly increased, as would appear from the Report of the Lunacy Commissioners, from intemperance. The injustice of these charges falling on real property was acknowledged in 1875 by the further grants from the Treasury made in that year. The cost of the indoor poor is about £2,000,000; the cost of lunatics about £2,000,000; the cost of main roads about £800,000. If one-half of each of these were given by the taxation of personalty, it would tend to considerable relief and better administration; but it should be given not by way of half the yearly expense, but by way of half a three years' average, and so much per head of the paupers, so that every penny the local administration could save would go to them, and not a half to the Imperial Exchequer. As regards the police—if certain licences—such as the public-house licence and the dog and gun licence—were handed to the local authority, they would amount to about £1,000,000, and a very small expense would then fall on the rates. These would amount altogether to about £3,500,000. I believe, if contributed in the way I have suggested, it would tend by better administration—seeing the example of London—to a saving of about half as much more, which would be a relief to ratepayers of something like £5,000,000 a-year. Now, seeing that the hon. Member for South Northumberland, whose Amendment the Government are going to support, suggested a sum of £7,000,000, and the hon. Member for Wolverhampton proposed a sum of £5,000,000, I venture to think this amount a very moderate demand for the settlement of the question, especially when, as I will show presently, it need not be charged on the general Revenue of the country. Now, I do not know what arguments against this relief are going to be used to-night; but I would propose to answer by anticipation some that have been used, and some that certainly will be used, to-night. It is said that though real property is heavily burdened in rates, it escapes other taxation, and probate duty is cited. Well, that is the only tax land does escape; but look at what personalty escapes which the Statute originally intended should fall upon it. I have already referred to tithe, which, though it does not go to the State, is none the less a heavy tax on land only, especially the alienated tithe that was formerly given for the maintenance of the poor. But there is the land tax, formerly an Income Tax, levied on all property, a sort of subsidy, as may be seen by the original Act in the time of William and Mary. Personal property has slipped out of the taxation, and land, being more easy to tax, is all that remains of the old Income Tax. It is exactly as though you were to repeal all the Schedules of the Income Tax except Schedule A, and fixed that at 8*d.* in the pound. Then there is public prosecution in the office of Sheriff, formerly an office of profit, but now a very heavy burden on individuals. And then there is the Income Tax levied under Schedule A on the gross, and not on the net. So that land pays in tithes, rates, and land tax about 6*s.* or 7*s.* in the pound, besides the taxes that it bears in common with all other property, such as Income Tax. Then consider the great increase of personalty and population. Real property now only represents one-seventh of the general income, and only one-third of the income assessed to Income Tax. Then, Sir, I do not know whether we are to hear any more of the exploded fallacy that these are all hereditary burdens. I stated once before in this House, and I repeat to-night, that nearly all this taxation—at least, all we want taken off—has been put on during my lifetime, and mostly within my recollection. Hon. Members seem to think the Revenue in the Middle Ages was all derived from land taxation; but that is a great mistake. Moveables — that is, personalty—were still more heavily taxed—one-fifteenth, I think, of their capital, as I understand it—and we all remember the story of the Jew capitalist in

King John's Reign, whose teeth were taken out at the rate of one a-day till he paid some tremendous subsidy. But we shall be told all subventions are wasteful. Now, if subventions are given in the right way they are not wasteful, and they may greatly promote efficiency. Look at the education grant. Can anyone say we should have got the poor children of this generation educated without it? It has brought out voluntary effort and promoted efficiency. Then the increase in the police costs is not greater since the grant in 1875 than before, rather less. As regards lunatics, there is no inducement—that is, no money inducement—for Boards of Guardians to send patients from workhouses to asylums, as I could show the House by the most accurate figures if necessary. But where the waste in relation to the Central and Local Authority is to be found is when the Central Authority orders the outlay, and the Local Authority has to pay it. I can mention half-a-dozen cases or more in my own county and immediate neighbourhood where unnecessary outlay has been imposed, or sought to be imposed, by the Central Authority. Now, I say, if they had had then to pay one-half, I am certain they would not have so acted. In any relief that is granted, I am entirely in favour of its being given so as to promote economy and sound administration; and it is because from practical experience I am persuaded that relief given in the form and manner I have suggested will tend to promote economy and better administration that I advocate it. But we are told any relief to local rates will only benefit the landowner. How? Just examine the shallowness of that argument, and then you will see that it is only another red herring drawn across the scent, to divert or to postpone their relief. The principal relief, both as regards numbers and amount, will be in the towns, as has been well set forth by the hon. Member for Wolverhampton. Nearly all property in towns is held on lease. Then how will the landowner or the ground-landlord benefit? I believe, if adequately given, it will greatly help the building of artizans' dwellings, which are now taxed 25 per cent. Do hon. Members think that any inducement to landowners to erect or give their land for erection of better buildings for the poor is an objection to giving them relief? or do they grudge any relief to the compound house-owner which will enable him to lower his rent? That is the only way it affects landowners in towns. Then in the country the labourer is living at such a low rent that the rate most unquestionably falls on him and not on the landlord. Then we come to the farmer. The minimum rate—say one-half—is perhaps on the property-owner, though, practically, it is never reckoned; but most unquestionably the rise and fall with which we are now concerned falls to the occupier. As a matter of fact, I believe these rates are all paid out of the margin of profit—that is, out of the farmers' or occupiers' profits. Just let the House consider these two or three typical cases, not exceptional, but actual and typical cases, that have come to my own knowledge. A farmer assessed at £800 a-year came and told me that he had had that year to pay in rates something over £100, which was all he had made that year. Now this rate was not a high one—under *3s.* in the pound, which is the average. A clergyman assessed at £320, being all his professional income, was called on to pay in rates £80, or *5s.* in the pound. There was a school board and a heavy road rate thrown upon them lately; the whole parish was ruined and going out of cultivation by it. A tenant farmer holding a lease in my county found his rates doubled chiefly by the highway rate, and he was called on to pay, in these depressed times, some £30 to £40 in excess of what he was taxed before, and by no means could he avoid it. Take another case. A labouring man saves £200 and wishes to buy a house and land. As soon as he invests in the house and land he is taxed 15 per cent on his savings, whereas while it was in the bank it was untaxed; and yet hon. Members who oppose this relief tell us that they want to encourage small investors in land. Well, so do I, and that is why I want to see this taxation re-adjusted. And then, in the face of all this, we are to be told that any such relief will be relieving property at the cost of labour. Why, its labour we are trying to get relieved in the first place; and surely it depends, in the second place, a little on where you obtain your taxation from to give this relief. I wish those who hold these shallow sophistries would go down to my constituency and preach that doctrine, because I think they would come back wiser men. Why, the average farmer is assessed on his labour at least as to one-half of his assessment, as anyone who would look at these things from a practical, economic view must know. I say do not tax labour through the occupation of houses and land which labour must occupy. Tax wealth, or waste, or speculation, or the causes of pauperism and crime; but, at all events, do not throw the whole burden on one-seventh of the income of the country. And now there is one consideration more, and that, I think, is the main consideration. Where is this money to come from? It has been somewhat superficially assumed to-night that by handing over certain local licences or taxes not paid to the Imperial Treasury you have settled the question as far as the finding the money. But it is clear that if you take £3,000,000 or £5,000,000, as the hon. Member for Wolverhampton suggested, or £7,000,000, as the hon. Member for South Northumberland (Mr. A. Grey) mentioned, you must supply the deficiency, and no attempt has been made to suggest or hint at the source from which that is to come. Sir, I hold that no individual Member, or still less a Party, is justified in criticizing a policy or any financial arrangement without suggesting an alternative; and I do not agree with those who can come here and urge that large sums should be given without, at least, suggesting where they are to come from. I am aware that it is for the Government to find the means if the House approves of the policy; it is the function of the Chancellor of the Exchequer—in fact, his limited office. Now, the source from which the money—say £3,000,000—should be drawn, ought to be personal property. I do not think you can assess personalty either under any of the Schedules of Income Tax or by a separate assessment; but there is a means of touching personalty in the shape of our enormous investments at the time of purchase of such investments. When a man buys, say, £1,000 worth of land, he pays a stamp duty of ½ per cent, that is £5, or about 1*d.* in the pound. That is a small tax, and not an unfair one. The cost that falls so heavy on the investor in land is the legal charge for title, &c., which varies in amount to about 6*d.* or 1*s.* in the pound. Now, when a man buys £1,000 of railway stock or other money investment, he likewise pays a stamp duty of ½ per cent, and a small charge for brokerage, say one-eight. Supposing the stamp were increased to 1 or 1½ per cent, it would not be a heavy tax. It would be almost imperceptible; and yet from figures which I have obtained it would produce a sum sufficient for this great relief. Even if it were made 2 per cent, it would only be 4*d.* in the pound, and a deduction might be made for small investments. What I would propose, therefore, and what I believe to be the best arrangement economically and administratively, would be this—that the Government should set apart or apportion certain taxes, say the house tax and some local licences, for the relief of local taxation, the former to be paid in subvention, the latter to be handed over as I have described, and the deficit should be made good by the tax upon personalty I have set forth. By that means the general Revenue or Consolidated Fund would never be touched; and if these subventions were to increase, the taxation of these objects should be increased likewise. I believe the handing over of all these taxes to the Local Authority would be wasteful and unjust, as the large towns would obtain nearly all the benefit. I fear I have detained the House at great length. It is impossible to discuss this subject without going into details, and some of them rather dry details; but it is a subject on which the country at large is greatly interested, and I am certain that this debate, and whatever may result from it, as well as the Division List, will be regarded with the most attentive concern by the nation at large.

Mr. HENEAGE remarked that, although he was quite ready to join in the approbation bestowed on the Local Taxation Committee, as far as the saving of rates was concerned, he could not agree with them in the principles which they had advocated. They seemed to have Consolidated Fund on the brain, and it was because they always advocated the principle of subventions that he had been unable to act with them. It was impossible for anyone who objected to subventions to vote for the Motion now before the House. It was perfectly true that the Mover of the Resolution did not advocate any such plan himself, for his sole argument seemed to be—relieve the rates and let local government reform take care of itself. It was also true that he advocated no plan whatsoever, and the only plan proposed was that of the noble Lord, his Seconder, who advocated that a subvention should be given towards indoor relief. He believed the House was pledged to deal with this question thoroughly. The hon. Member for South Leicestershire (Mr. Pell), while attacking the present Government for not dealing with the question, had glossed over the neglect of the Party to which he belonged to effectually deal with it during the six years that they were in power. He was quite willing, however, to admit that neither Government had done what was necessary, and that while landed property had decreased in value the taxation upon it had largely increased. The occupants of the Ministerial Bench were pledged to deal with this question on the first opportunity; but speakers on the Opposition side were conveniently oblivious of the opportunities they had enjoyed of placing it on a more satisfactory basis. In truth, it had been neglected by both Front Benches. Hon. Members opposite appeared to say to the Government, if not exactly, "Your money or your life!" at all events, something very like it, for they said, "Only give us a subvention, and leave the County Government Bill to take care of itself." He concurred with them in pressing on the Government the necessity of having no unnecessary delay in dealing with this question; but he did not think it could take precedence of all other subjects, and, in particular, thought that the Agricultural Holdings Bill required to be disposed of first. It would probably be better that the cost of both lunatics and the police should be Imperial charges; but there would be no real relief to ratepayers, and no real economy, until we had a revision of the whole question of local rates. Subventions did not promote economy, and some were almost wasted in the ignorant interference of the Central Government in London, and the correspondence which took place between that Body and the Local Authority. In 1879, Lord Beaconsfield deprecated in the strongest manner subventions in aid of local rates from Imperial sources. The real way to deal with the excessive local expenditure was to have a good local government, and to draw as sharp and complete a line between Imperial taxes and Imperial objects, and local taxes and local objects, as was possible, leaving Local Authorities to control their own expenditure and obtain credit for their administrative ability. This being one of the most important questions brought before the constituencies in 1880, he pressed upon the Government the duty of dealing with it at the earliest possible moment; and he should, therefore, cordially support the Amendment of his hon. Friend.

Sir MASSEY LOPES said, that he had listened with much interest and attention to the able and exhaustive speech of the hon. Member for South Leicestershire (Mr. Pell); no one could deal more practically with the subject. He was both a large owner and a large occupier, and his Motion came opportunely after that of the hon. Member for Burnley (Mr. Rylands) a few nights ago, when National Expenditure was discussed with reference only to Imperial outlay apart from local taxation, although it was obvious that both must be considered together in dealing with National Expenditure. Eleven years ago (1872) Parliament emphatically acknowledged the reality of the ratepayers' grievance. If some alteration of local burdens was just and necessary then, how much more urgent was it now? Agricultural industry was then comparatively prosperous; now, at no period had agriculture been so depressed, and fresh impositions had swallowed up all remissions and subventions. The right hon. Gentleman the Chancellor of the Exchequer had dealt exhaustively with Imperial taxation, but had entirely ignored local taxation; but, if they wanted to take a fair and accurate view of the Expenditure of the country, they must include, and could not dissociate, local and Imperial Expenditure. In comparing Imperial Expenditure in 1840 and 1882, he did not tell the House that local taxation, which was £8,000,000 in 1840, was now £27,000,000; and that while Imperial taxation had increased 40 per cent, local taxation had increased 230 per cent. Nor did he state that while the National Debt had been reduced, local debt had risen from £40,000,000 in 1872 to £142,000,000 now. The Chancellor of the Exchequer also spoke of subventions to local rates, which had increased between 1873 and 1874 by £3,000,000, whereas they had only increased by £2,052,000. He had said that the subventions in 1882 amounted to £6,000,000; but he (Sir Massey Lopes) said the subventions up to that time had not amounted to more than £2,150,000. Irish Police, which were included in the statement of the Chancellor of the Exchequer, had nothing whatever to do with subventions, and those only which were given in aid of certain local charges must be taken into account. Compare the fresh impositions of the last Liberal Government with the remissions made by the Conservative Administration. Education, £1,800,000; Highways, £500,000; Sanitary, £300,000; total, £2,600,000. Remissions for Prisons, Police, and Lunatics, total £1,450,000, so that the increase of rates since 1871 amounted to £1,150,000. This was not a Party question; but he was astounded when the hon. Member for Great Grimsby (Mr. Heneage) made the statement that the late Government made no remissions. He (Sir Massey Lopes) contended that all the fresh impositions since 1846—namely, Police, Lunatics, Highways, Education, and Sanitary, had been put on by Liberal Governments, and he asked any hon. Gentleman in the House to deny that statement. Even if rates had not increased absolutely, the burdens had increased relatively, on real property, with regard to the ability to contribute of other descriptions of property. If the increase which had taken place in the rates had fallen upon an industry which was fairly prospering, he should not have so much to say against it; but when it had come upon an industry which had never been so oppressed as at present, the augmentation was felt more severely. The right hon. Gentleman the Prime Minister had told them it was much more easy to "collect rates than taxes," and that—

> "The collection of Imperial taxation was always a matter of serious political delicacy and some difficulty, whereas the collection of taxes for local purposes was comparatively easy."

But he would like to ask the right hon. Gentleman what was the difference between a rate and a tax, where one came out of one pocket and the other out of the other, and both out of the same pair of inexpressibles? It must be borne in mind that those who paid rates paid also their share of Imperial taxation, and their quota towards the remissions that had been given. Rates were an indirect income tax, or rent-charge, and were unjust in their primary instance, because they ignored every gauge of ability, except that of rental, which was most delusive. They were levied totally irrespective of the benefits accruing to those who paid them, and were under no control as far as the ratepayers were concerned. Taxation for public purposes was certainly increasing, while the control was proportionately diminishing. It was most unjust and monstrous to act upon the same basis of assessable property as was acted upon some 300 years ago, when they knew that personalty had increased some seven or eight fold. Personal property was now only exempted by the annual Exemption Act—rates were not the only tax thus evaded, and thrown upon real property. Land tax in 1692 was not originally a special impost on land. Land tax was intended to be a general income tax on all known sources of wealth; but personalty had been formally exempted in 1833. He did not wish to weary the House with illustrations, but he would take the case of two men; one, the owner of £10,000 or £20,000, invested his money in Consols. He received an income from it, sure and certain, without any deduction—in fact, he was one of those who, in the words of the right hon. Gentleman the President of the Board of Trade (Mr. Chamberlain), "toil not, neither do they spin;" and, in regard to that remark, he should like to ask the right hon. Gentleman if personal property had not been made by the sweat and toil of the poor man; and, if so, why it should not contribute to his wants and necessities? The other man, in his illustration, might have put his money in a farm and be doing some good to the community. He was a useful man, the other a totally selfish man. Both of them enjoyed the same protection, and yet the latter of them paid much more than his quota to those national obligations, while the other paid comparatively nothing. This was an unjust privilege, and an impolitic exemption. The pauper renting a £5 cottage frequently paid more towards these national obligations than the man receiving a large income from personalty. We were compelling paupers to maintain pauperism. He would say one word in regard to farmers, who were the only men, except clergymen, taxed for local purposes upon their incomes. Other persons were taxed, and paid only upon the premises which they occupied. The fundholder might live in a £50 house and might be deriving an income of £500 a-year, and yet he only paid upon his house and not upon his £500 a-year. But a farmer, whose rental might be £1,000, and who might be making only £500, would not pay upon the £500, but upon the £1,000. A 1*s.* rate on the man living in a £50 house was only 50*s.*; but to the farmer, assessed on £1,000, it was £50. As long as those interested in the land had exceptional privileges and exemptions they did not complain; but when the privileges and exemptions were taken away the removal of the exceptional obligations was forgotten. In these days of unlimited competition, handicapping of any kind was Protection; and to whatever amount the English farmer was taxed, to that amount was the foreigner protected. There was another grievance of which the tenant might complain. If the landlord or tenant chose to make any improvement, immediately the Assessment Committee came down upon him, and charged him at least 3*s.* or 4*s.* upon the annual value of his improvement. The system was different in Scotland and in Ireland. In Scotland they did not alter the assessment during the currency of a 21 years' lease; and in Ireland assessments had not been altered for something like 30 years, the same valuation still remaining. But when in England they made any improvement, down came the Assessment Committee immediately and rated them accordingly. That paralyzed all industry, and was enough to discourage any man from laying out money on the improvement of his land, or for the dwellings of the poor. He did not like to say a word in favour of the landlord, because it was not generally well received in that House. But this was not a question of persons, but of different kinds of property; and he did not see why the landlord was not to have justice meted out to him as well as anybody else. The right hon. Gentleman opposite some time ago described relief from local burdens as a "quartering of landlords upon the Exchequer." If the right hon. Gentleman had no consideration for landlords, had he any for yeomen, a very large body of men, the backbone of this country? Had he any consideration for freeholders, men who bought their own houses out of the money they had saved? Then there were the clergy, than whom there was no class more unfairly mulcted. He knew instances where the clergyman's income depended upon the land which he had not the capital or the knowledge to farm, and where he had been reduced to absolute poverty. The only reason why occupiers were so anxious for County Representative Boards was because they thought they would diminish the local burdens. It had been said that the remedy was for landlords to reduce their rents. Landlords had had a good deal of practical experience with regard to that. If they were continually investing their capital in the land, and receiving no return from the investment, was not that practically reducing their rents? The landlords had an enormous grievance in respect of the Income Tax. Under Schedule A they had positively to pay up to the hilt. He did not hesitate to say that they paid a great deal more than was right or reasonable. No allowance was made for repairs, for insurance, or for bad debts; and, therefore, their case was a very hard one. And now, one word with regard to the mode of relief. Provided the relief was real and substantial, local taxation reformers were not wedded to any particular mode or means by which the object might be attained. They did not ask for Protection; that was gone. They sacrificed it for the sake of the community. They did not ask Parliament to rate personal property; that would be impracticable, though it would be just. There were only three modes by which relief could be given. First, there were State subventions and contributions. He believed State contributions were just and defensible. There was a constitutional relationship between contribution and control. He proposed that mode in 1872, and it was adopted by the late Government. The right hon. Gentleman had a great prejudice against the plan on the ground that it was likely to lead to extravagance and centralization. But subventions had been given towards the charge for police and lunatics, and he defied anyone to prove that they had been productive either of extravagance or centralization. The expenditure upon the police had increased more in the three years before the subventions than in the three subsequent years. And when they talked of subventions leading to extravagance, who were they who were urging all this extravagance? It was the Government Departments. They it was who said—"Unless you carry out this or that improvement we will not recommend any further subventions;" and it was perfectly impossible to resist. Then there was another mode of relief—the transference of certain national charges from the local funds to the Imperial Exchequer. He should be very glad to see that carried out with respect to police and lunatics. He was prepared to prove that we had not only greater uniformity, but better discipline in our prisons, and had saved £100,000 a year by the proposal of 1874. It would be far better for the State to take these charges upon itself. Hon. Members who voted against that proposal had told him since that they did it with great regret. Then there was a third mode of relief—namely, the transference of certain local charges locally levied to meet some of those national obligations. He, for one, was perfectly indifferent as to which mode of relief the Government chose to adopt. The right hon. Gentleman the Member for Ripon (Mr. Goschen), some years ago, suggested a division of rates, but that would be no relief to their grievances; for the incidence of taxation would be precisely the same; it would only shift burdens from one shoulder to another, leaving them all chargeable to the same description of property. It would be no relief to the yeomen, the freeholders, or the clergy. He would not be sorry to see a division of rates, for the owners of land would then take more interest in the question. There was no greater advocate of local reform than himself; but the duties of local management were well performed by the magistrates, and he had never heard a complaint made against them for extravagance. Nine-tenths of the expenditure they made were statutory, and they could not do anything in the way of relief. Then classification of local and Imperial burdens had been talked of. He agreed that there should be an equalization of charges on all descriptions of property. There were many modes of dealing with the question; it was only for the Government to say that they intended to give some relief. The present control of the Local Authorities over the police and lunatics was simply a delusion. The magistrates had only a nominal control under the Home Office. If the Government took over the entire control of the police, he thought it would be found more economical and more efficient. The lunatics were under the charge of the Lunacy Commissioners. The humane system recently adopted had considerably increased the expenditure—the average cost of a lunatic was 10*s*., of a pauper 3*s*. With regard to education, when he brought forward his Motion in 1872, the cost was £70,000, whereas now it was £1,800,000. Last year the cost increased by £200,000, and it was still increasing. They were told by the right hon. Gentleman, and by the right hon. Member for Bradford (Mr. W. E. Forster), that under no circumstances would the education rate exceed 3*d*.; but that amount had now been far exceeded, with the result that board schools, which were intended only for primary education, were now extended to higher and secondary education. They had been told by the right hon. Gentleman that reform must precede relief; but he (Sir Massey Lopes) would assert emphatically that reform was not necessarily preliminary to relief. It was not the first time that a red herring had been drawn across their path, and that the Government had taken them off the scent, and diverted them from the real issue. They adopted the same tactics in 1872, when the hon. Baronet the Member for North Devon proposed his Amendment. Though the original Motion was carried by an enormous majority, the Government entirely ignored the verdict of the House of Commons on that occasion. They had had continual promises; they had had the question put into Queen's Speeches continually; they had been told that the Bill had been prepared, and immediate legislation was promised; but nothing had been done, and they felt they were doomed to disappointment. The truth was, the Government were not in earnest. What was the issue to be decided? Was it reform? They all advocated reform. But the real question which they had to settle was, whether this relief was to be given to them without further delay, or whether it was to be indefinitely postponed. It was the question whether the Government were going to trifle with the subject any longer—whether they were to be allowed to shelve and to shunt it Session after Session, to dangle it before our eyes and then withdraw it; or whether the House of Commons would compel them to take up this question and deal with it without further delay. If the Amendment of the hon. Member for South Northumberland was carried, they would not advance a step—they would only give the Government a fresh lease of apathy and indifference; but, by accepting the Resolution of his hon. Friend the Member for South Leicestershire, the House of Commons would determine that the present indefensible anomaly, the glaring injustice, and the acknowledged grievance of taxing one class of the community and one description of property for national obligations should be speedily remedied and redressed.

Sir CHARLES W. DILKE said, that if his hon. Friend the Member for South Northumberland (Mr. A. Grey) should succeed to-night in leading the House to pass his Amendment as the Resolution of the House, they would declare in these words that the "reform of Local Taxation was most urgently required;" and he hardly thought that the country would understand those words as meaning that the House had voted for indefinite delay. The argument of the hon. Baronet was that they ought to pass without Amendment any Resolution upon this subject that any hon. Member chose to submit to the House; because, if that was not the case, he could not understand why the hon. Baronet should tell them that no Amendment ought to be moved, for all he meant was that, provided substantial relief were immediately given, the Party opposite were perfectly indifferent as to the means they took to get it. It was because those who sat on the Ministerial side of the House were not perfectly indifferent to the means they took to get relief that they would support the Amendment of the hon. Member for South Northumberland, instead of voting for the Resolution of the hon. Member opposite (Mr. Pell). Both the Resolution and the Amendment declared that this was not a matter for delay. The Resolution stated that no further delay should be allowed, and the Amendment said that a measure dealing with the subject was urgently required. While the Resolution was absolutely vague, and supported by speeches contradictory one to another, the Amendment was clear on the subject of the nature, or character, and the manner of the relief to be given. He had no fault to find with the speech of the hon. Baronet, who had, in past times, made this subject so peculiarly his own. The hon. Baronet had told them that there was no reason to suppose that the principle of subvention led either to centralization or to extravagance; and he gave them as an example, in proof of both of these statements, what had occurred with regard to lunatics and police. He argued by informing the House that there had been a more rapid increase of the expenditure on police before the subvention had been granted than there had been since. He (Sir Charles W. Dilke) had the figures before him, and they did not appear to bear out any such view. Well, the subvention as regards the police was largely increased in 1875. The increase in the cost of the county police before and after that time was as follows:—The cost in 1871 was £784,000; in 1872, £813,000; in 1873, £863,000; in 1874, £919,000; in 1875, £938,000; in 1876, £978,000; and in 1877, £1,000,000. As to the borough police, the cost was as follows:—In 1871, £503,000; in 1872, £540,000; in 1873, £582,000; in 1874, £613,000; in 1875, £649,000; in 1876, £703,000; and in 1877, £733,000. The increase was more rapid after the grant than before it. [Sir Massey Lopes: No.] The figures bearing on lunatics were also before him, and lunatics had been much more costly since the establishment of the subvention, for the subvention itself had increased with the most extraordinary rapidity. It had risen by rapid strides from £337,000 in 1876 to £412,000 in 1881. Now, the hon. Baronet argued that there was no increase in centralization through the granting of these subventions; but then, in the most contradictory phrase that followed almost immediately afterwards, he said the country was overrun with Inspectors, who insisted on their views being carried out on pain of losing the subvention. That seemed to him to be exactly the evil of centralization, which was one of the most pressing evils that required to be remedied. The hon. Baronet attacked the Inspectors of Constabulary, and, after stating that the control of the police was already in the hands of the Local Authorities, rather indicated that the Government should take over the whole control of the police of the country. He (Sir Charles W. Dilke) did not think that view would meet with acceptance on the Liberal side of the House. There had been, perhaps, an undue amount of interference already with localities as regarded their police; but he did not believe that this evil would be remedied or done away with by transferring the control of the whole police of the country to the Home Office. There was one portion of the hon. Baronet's speech with which the Government found themselves in much more close agreement. The hon. Baronet declared, as the Mover of the Resolution declared, thereby making recantation of his former errors, that persons ought to contribute to local objects according to their ability and means. He agreed with the remarks of the hon. Baronet on that subject. There could be no doubt that persons ought to contribute to local objects according to their ability and means, and not only in respect of lands and houses. The principle was undoubtedly very difficult to apply, and the manner of applying it needed deep consideration. There was no difference, therefore, between them and the hon. Baronet as to the principle itself. The hon. Baronet stated in the course of his remarks—he was alluding specially at this time to the rates pressing on farmers and on lands—that the rates were rapidly increasing in this country. He did not know whether the hon. Baronet was present in the House during the very able speech of his hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler); but his hon. Friend showed that this was even more a towns' question than a rural question, and that the increase of rates had been more rapid in the towns than in the rural districts. He admitted at once and frankly to hon. Members opposite that it was difficult exactly to distinguish between urban and rural districts; but taking the utmost pains to discern which were rural and which were urban districts, or partly rural and partly urban, there was much reason to suppose that if they looked at the population, and if they looked at the rateable value, the rates were not increasing in the rural districts with anything like the rapidity asserted by the hon. Baronet. In proportion to the rateable value, he did not believe the rates were increasing in this country at the present time. One of the most interesting statements during the whole course of the evening was that made by his hon. Friend the Member for Hertford (Mr. A. J. Balfour), whom he was sorry not to see then in his place. He feared that in his absence the House would hardly credit the statement he was now about to attribute to him, although he was sure that if the hon. Member was present his candour would lead him to admit it. The hon. Member told the House that this matter could be settled without a Bill — that it could be settled without a first, second, or third reading of any measure — by the mere action of the Government, acting in their financial capacity. He (Sir Charles W. Dilke) said nothing with regard to the Constitutional nature of that doctrine; but if any such sums as were contemplated by the hon. Baronet the Member for South Shropshire (Sir Baldwyn Leighton) — he stated £3,000,000 or £3,500,000—were to be given to the Local Authorities, new taxes would have to be levied to fill their place. The Mover of the Resolution, the hon. Member for South Leicestershire, attacked the present system, and began his speech with the interesting recantation to which he had just alluded. He then told them that there was need for immediate relief; but he very bitterly attacked the hon. Member for South Northumberland (Mr. A. Grey), because, instead of speaking of a need of immediate relief, he said only that it was "most urgently required," a distinction with a difference which he (Sir Charles W. Dilke) confessed he could hardly understand. Coming back to the remarks of the hon. Baronet opposite (Sir Massey Lopes), and the hon. Member for Hertford, he would remind the House that they had shown that what they wanted was immediate action by the Government, acting in their financial capacity, and without reference to local government. The Government, on the other hand, were quite content to accept the principle laid down in the Amendment of his hon. Friend, and thought if the question was to be dealt with with any fairness at all it must be dealt with in connection with the question of local government. The hon. Member for South Leicestershire did not remark that his hon. Friend had altered some words in his Amendment; and he could assure the hon. Member, as a matter coming within his own knowledge, that that alteration—which was, in his opinion, a great improvement in the Amendment —was not made at the request of those who sat on those Benches, but of those who had co-operated with the hon. Member for South Leicestershire himself. But if he might make a little free with a homely proverb, he would say that the proof of an Amendment was in the voting upon it; and if the Amendment was carried it would be found that the principle of the hon. Member the Mover of the Resolution had made considerable progress by the adoption of those words. The hon. Member for South Leicestershire attacked those who were responsible for the general arrangement of business between the Central and Local Authorities. He said that little resistance was given by any Department of the State with regard to local loans, and he spoke at considerable length as to the indebtedness of Local Bodies. Where loans were in the least doubtful, no Department could resist them more strenuously than the Local Government Board. But there were loans and loans, and Local Bodies and Local Bodies; and he did not think the hon. Member could have meant that a State Department ought to interfere with loans to large Municipalities, unless there were very substantial reasons for doing so. All he asked was that hon. Members should believe there were good loans as well as bad loans, and that doubtful loans were very carefully scrutinized. His hon. Friend the Member for Wolverhampton had spoken at some length on this subject, in which he, perhaps, had a personal interest, seeing that the borough of Wolverhampton had that very day contracted a loan for no less a sum than £600,000; but that loan would probably be for the permanent advantage of the town, and was an instance of a loan that could hardly be interfered with without depriving of self-government a Municipality that might be supposed to know its own interests. The hon. Member for South Leicestershire was not too consistent in his arguments. He had attacked the Manchester Loan, which was authorized by a Local Act, for which every Member of the House was in a certain sense responsible, and in the next few words of his speech he had found fault with the Government for over-controlling and interfering with Local Authorities. Indeed, all through the debate, hon. Members opposite had at one moment attacked, and at another advocated, the principle of centralization. He could not believe himself that centralization would be discouraged, but he thought it would rather be increased, by subventions. The hon. Member for South Leicestershire had next attacked the Prime Minister for his declarations in 1874, the form of which he had, however, pronounced excellent, but had immediately afterwards used these extraordinary words—"Here we are, not much the better for all the millions that have been given to us." That was a most encouraging remark for a Minister to hear from an hon. Member who asked for £3,000,000 more—the money, according to the hon. Member for Hertford, to be paid at once —"Here we are, not much the better for all the millions that have been given to us."

Sir MASSEY LOPES: Special impositions have been made, and deprived us of the benefit.

Sir CHARLES W. DILKE said, he did not believe that the special impositions in recent years had equalled the subventions, and in the case of the roads he might point out that a large subvention was given only last year. Speaking of the education rate, the main argument of the hon. Member (Mr. Pell) was addressed to the inhabitants of the country; but that was a rate which fell most heavily upon those who dwelt in towns. The total of the school board rate was £1,484,000. Of that rate the Metropolis paid £577,000, and other municipal boroughs, £479,000 — that was to say, £1,056,000 was paid by London and the municipal towns, without speaking of the urban sanitary districts, out of a total rate of £1,484,000. Therefore, the House would see at once that, although there had been a large increase in the education rate of late years, it was a town grievance rather than a country grievance. The hon. Member next passed to the rate for poor relief. The House had been favoured that night with a great deal of the history of poor relief in regard to days long gone by. They were told that the relief of the poor was entirely a national duty, and not a local duty; but his own reading of the question in past days did not by any means confirm that view. Even the Act of Elizabeth, which had already been alluded to as being the foundation of all legislation upon the question, was not the first Act which dealt with the subject. On the contrary, it formed the last of a long series of Acts which dealt with the matter in the past, and the whole of these Acts of Parliament recognized the fact that the charge for the relief of the impotent poor was a local burden. The State interference with the Poor Law at the present time was only for the purpose of securing that the Poor Law should be properly discharged, and discharged in such a way as to protect the locality as well as to protect the country generally from the pauperizing influences which would necessarily result if the relief were given without regulation of any kind. But no such Departmental interference with the nature of the poor rates would give a direct claim for State aid. It was simply a question of prudence and wisdom to be discussed on its own merits, and there was no question of absolute obligation on the part of the State. It was only in regard to one branch of the matter connected with the administration of the Poor Law in such points as the salaries of workhouse teachers and medical officers, that a consideration came into view which did not apply to the poor rate generally—namely, the efficiency of the persons employed. The State was able directly to test the efficiency of the persons employed as teachers, by an examination of the teachers themselves, and of the children under instruction in the workhouse schools. The hon. Member for South Leicestershire (Mr. Pell) next came to the question of police and lunatics. But, before he (Sir Charles W. Dilke) proceeded with that question, he wished to say that he agreed with the hon. Member, although he did not agree with the noble Viscount who seconded the Motion, that the Government scheme ought to include a proposal that some portion of the poor relief should be made an Imperial charge. The noble Viscount who seconded the Motion seemed to take a different view from that of the Mover. When the hon. Member for Hertford (Mr. A. J. Balfour) was addressing the House, he (Sir Charles W. Dilke) made a remark to an hon. Member sitting next him on that subject. He told his hon. Friend that upon that matter the Mover and Seconder of the Motion were not in accord with each other, and that was still his opinion. The hon. Member for South Leicestershire (Mr. Pell) then proceeded to discuss the question of lunatics and of the police. The noble Viscount who seconded the Motion and the hon. Member for South Shropshire (Sir Baldwyn Leighton) contended that a large portion of the rates were required for national and Imperial purposes. But, although in one sense the police rate might have an Imperial object, it must be admitted that the Local Authorities had a great deal more control in increasing or decreasing the expenditure, than had been acknowledged. For instance, in the case of salaries alone they had a very considerable amount of power in raising or decreasing the expenditure. The proposal to cast upon the State the whole charge of the police he had already alluded to. He believed it would lead to centralization, and to the paralysis of local authority. [Sir R. ASSHETON CROSS: Hear hear!] He was glad to hear that the right hon. Gentleman opposite, who had himself had the charge of this question under the late Government, agreed with him; and he would, therefore, say no more upon the matter. In regard to lunatics, he thought if the whole charge of lunatics fell on the State all motive for economy would cease, and it would be found that a large number of paupers would suddenly become lunatics. [*A laugh.*] Hon. Members opposite laughed; but he could assure them that many of the workhouse inmates were weak-minded, and that, especially among the old and infirm people, there was a considerable number in a condition of mind which amounted to semi-imbecility; and nobody would deny that it would be very easy to class under the head of lunatics a large number of persons who, at the present moment, were simply looked upon as harmless and imbecile poor. The hon. Member for South Shropshire (Sir Baldwyn Leighton) had gone a great deal further than other Members on either side of the House, when he protested altogether against some of these matters being left in the control of the Local Authorities, in the event of a large measure of Local Government being carried.

Sir BALDWYN LEIGHTON said, the right hon. Gentleman had misunderstood the object of his remarks.

Sir CHARLES W. DILKE said, he had taken down the words of the hon. Member; and he understood him to say that they would surely never think of giving the control of the police, for instance, to any elected body. The hon. Member was at the time speaking of the county districts. It must be recollected that if the country had to bear all the charge of the police, then, he humbly submitted, all the case for their control by the Local Authority was entirely destroyed. The hon. Member for South Leicestershire (Mr. Pell) attacked the statement published in the Estimates with regard to the amount of the subventions, and it had been pointed out that the cost of the London Police fell partly upon one of those subventions. It had already been explained to the House that the present Government were not responsible for that statement; and without going into the question, either one way or the other, as to its perfect accuracy, he would say at once that it was almost impossible to accurately distinguish in these matters between what were called Imperial and what were called local charges, and to state what was and what was not a subvention. The table was one which was not entirely a table of what might be called subventions. It also spoke of charges which had been transferred from local to Imperial funds. It was, therefore, a double table, made up of two distinct things. However, such as it was, it was a table framed by the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) when the late Government were in Office; and he was, therefore, sorry to hear hon. Members opposite attack that table, and accuse the Government of charging the contribution towards the payment of the London Police as a subvention for which they were responsible. The right hon. Gentleman, who was himself a Metropolitan Member, was responsible for the form the table assumed. Strictly and literally, the table was correct in terms; but he admitted that it was misleading, and that it might give rise to a false construction. Perhaps, hereafter, it would be desirable to frame it in a different form; although, at the same time, it was strictly accurate in terms, because it was a table of grants in aid of local taxation, and of charges transferred from local funds. He thought that all the matters mentioned in it came under the one head or the other. The table, however, did not mention educational payments by the State at all, nor reformatories, and there were several other matters which might be specified. But, as he had already stated, no amount of responsibility in connection with that table fell upon the present Government. He desired now to return for a moment to the speech of the noble Viscount who seconded the Motion. He thought the first part of that speech was a most admirable statement of the principles which ought to prevail in regard to indoor as a contrast with outdoor relief. All who had considered that question would entirely concur with that part of the noble Viscount's remarks; but the controversial part of the speech had been excellently answered by his hon. Friend the Member for South Northumberland (Mr. A. Grey). It was not necessary, therefore, that he should take up the time of the House by referring further to it. As he had already pointed out to the House, the noble Viscount and the Mover of the Resolution were not in agreement upon this question. He admitted, with the noble Viscount, that if the principle were granted, for the sake of argument, that subventions were to be extended, he had made out a strong case for its extension to the particular class of objects referred to; but the point on which he joined issue was that he did not think they were matters for which Local Authorities required aid. Subventions, as a general rule, would more greatly benefit the towns than the rural ratepayers. He concurred with the noble Viscount in what fell from him as to the success of the Common Poor Fund in the Metropolis, the initiation of which, so far as regarded the charge for indoor relief, was due to his right hon. Friend the Member for Ripon (Mr. Goschen). No doubt the success of that Common Poor Fund had given powerful support to the doctrine placed before the House that night in the Resolution, that a portion of the charge for indoor relief should be a common charge upon the county. But he did not think that the argument could be pushed further than the county, and it did not form an argument for placing these charges on the country as a whole. He would make this qualification in his remarks—that although he admitted that the London experiment had an immense bearing on the question, it must not be supposed that the decrease of outdoor relief was entirely confined to London, as the result of that experiment. He thought his right hon. Friend opposite (Mr. Sclater-Booth) would admit that this was true; because, in the township of Manchester, for instance, and some other places where there had been very excellent administration, there had been an extraordinary decrease in outdoor relief without any similar cause. He must, however, admit the admirable working in London of the Common Poor Fund. The noble Viscount concluded by saying that unless they on that side of the House knew their own minds it was impossible they could support the Amendment of his hon. Friend the Member for South Northumberland. He believed they intended to support that Amendment, because they thought they did all know their own minds. The hon. Member for Wolverhampton (Mr. H. H. Fowler), and the hon. Member for South Northumberland, had pointed out the terrible conflict of jurisdiction which existed at the present time, and the pressing need of legislation to remedy that state of things. His hon. Friend the Member for South Northumberland drew attention to the bearing of the money question raised by the Resolution. For instance, how was it possible for a ratepayer who lived in five or six different districts rated for five or six different purposes, to promote economy, even if he were so minded? He was under a number of different rates for different areas, and each district might have contracted different loans for separate and distinct areas. Indeed, it was impossible for the ratepayer to inform himself as to the position in which he actually stood. It was by no means difficult for the same man to live in a Local Board district, a Vestry district, a Union district, a Burial district, a Quarter Session district, a School Board district, and a Highway Board district, each of which might be separate and distinct from the other. The multiplication of elections for these various Boards was in itself a considerable cause both of confusion and of cost; and the multiplicity, not only of elections but also of polls, required for various purposes was in itself a serious matter of charge. A ratepayer was very often unable to obtain accurate information as to the position in which he stood. Indeed, the present system of local government was not only complicated in regard to these matters, and not suited to the present needs of the country, but was altogether behind the age. Her Majesty's Government, by accepting the Amendment now before the House, admitted the present need for reform in this respect. The Local Government Board itself was, he frankly acknowledged to the House, overwhelmed with matters of detail which ought to be relegated to the Local Authorities; and he, for one, would always help forward any movement which he thought would have for its result the transfer from the Department of such matters of detail as ought to be dealt with by the Local Authorities. He deprecated and deplored this perpetual interference with details; but it was rendered necessary under the present system. He could not but think that this necessity for interference was the result of the subventions which it was now proposed to extend by the Motion placed before the House that night. As to the remedy, he believed that any reform of county government, such as had been sometimes proposed, would not suffice; but they must reform local government throughout all its branches. He felt also that by reforming local government, not only in the counties, but also in its several branches for the first time, they would obtain a real security for the economy as well as the efficiency of local administration. If Her Majesty's Government were to agree that night to the Resolution, they would be understood as agreeing only to a demand for money, and nothing else but money. The hon. Member for Hertford (Mr. A. J. Balfour) had already explained it in that sense. It would, in spite of what fell from the hon. Baronet opposite (Sir Massey Lopes), be in direct contradiction to the result which the House arrived at a few nights ago on the Motion of the hon. Member for Burnley (Mr. Rylands). The House would clearly see, from what he (Sir Charles W. Dilke) had already said, that the Government were already disposed to agree with the Amendment of his hon. Friend behind him. Their position was that any measure for the reform of local taxation should make the same authority which was responsible for the taxation required, the authority for the whole cost, and that all the ratepayers should be represented upon the body which was to levy the rates. They were further of opinion that the relief to be granted to the taxpayers should be a relief granted to the Local Authority in the revenue received from taxation, and that it should be accompanied by a corresponding devolution of powers and duties. That was the policy which Her Majesty's Government placed before the House in contrast with the policy of the hon. Member for Hertford (Mr. A. J. Balfour), who contended that the matter should be dealt with by the action of the Government in their financial capacity. They did not believe that the subject of local administration could be dealt with in that manner; and they confidently supported the Amendment, believing that it would receive the approval of the majority of the House.

Mr. SCLATER-BOOTH said, he thought the House might feel a good deal exhausted after the interesting discussion which had taken place during the evening; and he, therefore, promised that his observations should be extremely short. Nevertheless, he thought it was only proper that he should make some observations on the subject, seeing that it was one in which he had taken very much interest when in Office under the late Government, part of his duty having been to administer the Department now in the able hands of the right hon. Gentleman opposite (Sir Charles W. Dilke). The right hon. Gentleman had thrown his shield over the Amendment of the hon. Member for South Northumberland (Mr. A. Grey). It was a gallant act upon the part of the right hon. Gentleman, and the language of the hon. Gentleman the Member for South Northumberland might be very plausible and satisfactory if its illusory character had not been shown. Now, what was the language of the Amendment? It was the same language as that which had been used for the last 11 years by hon. and right hon. Gentlemen opposite whenever the subject had been brought under discussion. The House had always been told that the relief of the ratepayer must be preceded or accompanied by some comprehensive or drastic measure, which, however, had never yet been produced, of which they had never even seen the outline, and of which only towards the end of the speech of the right hon. Gentleman they had ever had the slightest indication. He would follow the observations of the right hon. Gentleman as they had been placed before the House. As regarded the system of subventions, he had said repeatedly that they were the only possible forms of relief that could be given to the ratepayers, and that the system had, to a large extent, mitigated his grievances, and to a still larger extent satisfied him that some attention was being paid to his demands. But he (Mr. Sclater-Booth) said, at the same time, that these subventions were never proposed as the best means of aiding local expenditure, but as being the only practicable form of dealing with the question. He would remind the right hon. Gentleman that these subventions were not made by the levying of new taxes, which must inevitably be the means resorted to if the policy which the right hon. Gentleman now advocated were pursued; but they were met out of surplus Revenue. The right hon. Gentleman said justly that if new taxes were to be handed over they would have to be supplemented by further taxation. The right hon. Gentleman said that the police subventions might have been the cause of increased expenditure; but he (Mr. Sclater-Booth) would not enter into that question now. It must be remembered that this had been part and parcel of the police system from the beginning; and the augmentation of the police subvention, made in 1874, was only different in degree, and did not involve any new principle, but was of the kind which always accompanied the establishment of the police system from the first. Then as to the expenditure for lunatics, he entirely differed from the right hon. Gentleman in thinking that the subvention had caused undue expenditure. The right hon. Gentleman had omitted to notice the enormous extension of lunatic asylums in recent times. There was an asylum opened in Middlesex, within a year or two of the date of the first subvention, capable of containing 1,000 lunatics, all of whom would participate in the subvention. There had been other asylums opened in Lancashire and constructed within the same period. The contribution of the State was a small one; but it had had the effect of leaving a large margin of expenditure to fall upon the ratepayers, in addition to what they had to pay for the maintenance of lunatics as ordinary paupers in workhouses or workhouse schools. It was part of the policy of the Imperial Legislature to impose the obligation connected with the maintenance of lunatics upon the localities; and when the right hon. Gentleman said that the subventions would have the effect of adding to the number of asylums, and of increasing the practice of sending lunatics into asylums, the right hon. Gentleman must have forgotten that the question of the construction of asylums was in the hands of one authority, whereas that of sending lunatics into the asylums was in the hands of another authority altogether. The right hon. Gentleman deprecated the centralization which accompanied the subvention system, and said that he wished to get rid of it by all the means in his power. He thought the right hon. Gentleman would find it a very difficult task, and at variance with the economy of the new Poor Law system, which system depended very much for its satisfactory working upon the control of the Central Authority. Without that Central Authority the system of poor relief in the country would very greatly expand. Even now, notwithstanding the action of the Central Authority, enormous sums of money were spent in outdoor relief. What was it that the right hon. Gentleman proposed by way of a substitute? His proposal was the establishment of some new County Board, which was to take the place of the Local Government Board in exercising subvention and control. Now, unpopular as the control of the Local Government Board was, he ventured to say that the control of a County Board over the action of the Guardians of the Unions and of the Municipal Councils would be a great deal more unpopular. The right hon. Gentleman referred, with great gusto, to the principle of the division of rates between the owner and the occupier, and congratulated his hon. Friend the Member for South Leicestershire (Mr. Pell), and his hon. Friend the Member for South Devon (Sir Massey Lopes), upon their conversion to the nostrum of the division of rates. But the right hon. Gentleman had omitted to say that the Liberals had been talking about this division of rates for the last 10 or 12 years; but they had done nothing. But what did the late Government do? They acted upon that principle, and they imposed no new rate upon the ratepayers without accompanying it by a proposal for a division of the new rate between the owner and the occupier. He had himself passed the Rating Act, under which new contributions were made towards local rates, which were to be charged one-half upon the owner and one-half upon the occupier. On the part of the late Government he had proposed to place a charge on the county rates in aid of the turnpike roads, and he divided it equally between the owner and the occupier. At whose instance was it that he was prevailed upon to give up that plan? It was at the instance of the hon. Gentleman the present Secretary to the Local Government Board (Mr. Hibbert), who spoke as an authority in connection with the county of Lancashire, one of the most important counties interested in the question. The hon. Gentleman said that it was not worth while to charge the rate between the owner and the occupier, and preferred that it should be charged upon the county rate. Finding that that was the feeling at that time, he (Mr. Sclater-Booth) somewhat reluctantly withdrew his proposal. But the late Government were entirely of opinion that no new rate should be imposed without dividing it between the owner and occupier until the whole question of local taxation could be satisfactorily adjusted. Until that time arrived, and the new nostrum of the division of rates could have full effect given to it, he agreed that it would be a good thing to get the owners to take more interest in the management of the rates, and in that case they must have a greater share in the representation of the localities upon the Local Boards and the Boards of Guardians. That would only apply to new contracts, for no one had ever proposed that existing contracts between the owner and the occupier should be interfered with. If the right hon. Gentleman the Member for Ripon (Mr. Goschen) had been able to carry his plan a dozen years ago, one-half of the contracts in England at the present time would be going on the old plan of the occupier paying the whole of the rates. The right hon. Gentleman accepted the principle that personal property should be got at if it could be got at; and he was thankful for the admission which the right hon. Gentleman had made, looking upon it as a stand-point for future action. The right hon. Gentleman spoke at some length upon the observations which the hon. Member for South Leicestershire (Mr. Pell) had made in regard to the growth of rates generally, and especially as regarded the growth of the indebtedness of the localities. He agreed that it was almost a pity to import into the discussion a question which really was altogether away from it. This subject of the growth of local indebtedness lay altogether outside the present discussion. The right hon. Gentleman said with justice that great pressure was brought to bear from his Department against extending this system of borrowing, either in the case of the smaller or of the higher Local Authorities; and it was entirely due to the action of the Department that the sums of money borrowed by the Local Authorities had been borrowed for comparatively limited periods. The hon. Member (Mr. Pell) seemed to forget the attention which had been paid to his suggestions in the last Parliament. The question was brought before the last Parliament on two or three occasions in connection with what was called the Local Budget; and he (Mr. Sclater-Booth) had pointed out on those occasions very clearly to the House that the indebtedness of the Local Authorities was owing to the action of Parliament itself, which had permitted the raising of enormous sums of money for undue periods almost amounting to perpetual annuities. He believed there were cases in which the Local Authorities had borrowed money for 80 or 100 years; but in nearly all those cases the loan was given under the sanction of an Act of Parliament; and it must be borne in mind that, in regard to all these charges, they were actually at this time in process of liquidation. The whole of the sum of £120,000,000 now owing was in process of liquidation year by year, which was more than could be said of the sums which were borrowed and expended for Imperial purposes. And now let them see what could be done to meet the really burning question—the question which caused so much feeling amongst the localities, especially in the rural districts—namely, the reduction of the charges which were for what were called Imperial services. It was contended by the hon. Member for Wolverhampton (Mr. H. H. Fowler) that some alteration in the incidence of the charge between the owner and occupier might, to a great extent, be provided as a remedy for the difficulty. He (Mr. Sclater-Booth) had already pointed out the fallacy of that; but, as regarded the country districts, no doubt the question of the charge as between the owner and occupier of land was a very different thing from that which applied to house property. Who was to be considered the owner of a house in a town like London? Was it the ground landlord? the builder? the owner of the long lease? or the leaseholder from year to year? or were they to divide between those four persons the rate leviable upon the house in respect of the expenditure that was necessary for the comfort and convenience of the occupant? He thought that insuperable difficulties would attend a discussion in such a case. In the country it was very different. The question which agitated the farmer was this. He was rated, practically, in an inverse ratio to his income. His landlord was a rich man of large income, living in a house which might be rated at £100 or £200 a-year. The farmer himself was a man of, comparatively small means; but, nevertheless, he was rated at from £500 to £600 a-year, according to the nature of his occupation. Now, that was an anomaly. It was said that the farmer acted only as the agent in advancing the rate due upon the land, which the landlord would otherwise have to pay. But still, as a matter of practice, in bad times there could be no question that this payment did come out of the pocket of the comparatively poor man under very distressing circumstances. Then it was said by the right hon. Gentleman that to relieve the occupier of land from the incidence of local rates would merely be to place money into the pockets of the landlords. That, as a mere politico-economic axiom, might be true. He had admitted it himself in the evidence which he had given before the Royal

Agricultural Commission; but, in practice, it was not true in the circumstances in which they were now placed. The whole matter depended upon the turn of the market; and in times like the present, when the turn of the market was against the landlord, as regarded the letting of his farm, he was of opinion that it was utterly impossible for him to take advantage of any remission of local rates to the occupiers of the land. Perhaps, in the course of 20 or 30 years, when the present generation had passed away, it might be possible for some advantage to revert to the landlord from the remission of rates. As far as he could see, now, undoubtedly any such remission must go into the pocket of the occupier of the land, and he was the person most in question at the present moment. It might be true—and he thought it was true—that the amount of the rates in the agricultural and rural districts had not generally increased of late years. He made the right hon. Gentleman a present of that admission; but it must be recollected that the burden of the charge had not been felt until recent years, so that it was particularly at the present moment that some immediate relief was required. The condition of the agricultural interest was such that relief, however slight, would be appreciated and welcomed as a boon by a large and meritorious class of people. He could not say that he was altogether satisfied with any of the remedies for the present state of things in the agricultural districts which had been proposed that evening; but he did not consider that it was his business to advocate any particular remedy. With regard to assistance out of the Consolidated Fund in respect of indoor relief, that was a question upon which he had expressed his opinion at great length, and his views upon the matter were pretty well known. He should prefer not to have recourse to that form of relief, but would rather that it was given out of a rate similar to that which was well known as the general rate of the Metropolis. But how was that rate to be got? Before it could be got they must entirely destroy the existing Union areas, and must compel municipal authorities to contribute to the county rate, from which they were now free. These charges would be certain to be met with great indignation on the part of these powerful and important bodies, to say nothing of the heart-burning and annoyance which would be experienced before any great amount of relief would be felt. In regard to the indoor poor, therefore, he was of opinion that some relief might be given from Imperial resources, he would not say by way of subvention, but out of some Imperial tax. It was an easy thing to say—"We will not apply Imperial taxes to the remission of local taxation; but the difficulty remained, and had to be dealt with. The most obvious and, apparently, easy suggestion was that made by the right hon. Member for Ripon (Mr. Goschen) with respect to the House Tax, which appeared, *primâ facie*, to be the very tax for the purpose; but it was objected that the surrender of the House Tax in this way would have the effect of imposing an additional grievance upon the occupiers of houses in towns, where there was no complaint as to the incidence, but only as to the amount of taxation. With regard to roads, it was thought that some assistance should be given in respect of them from the Carriage Licence Duty. This matter had come before the late Government; but it was at the time found to be quite impossible to allocate the Carriage Licence Duty for the purpose. He hoped when they came to the scheme of the Government they would find something more satisfactory and more popular than had been suggested in the course of the debate; but he entreated the House to support the Motion of the hon. Member for South Leicestershire, and not be led away by the suggestion that relief of the kind proposed could not be given until the reform of all the local institutions of the country had been accomplished, an operation which must necessarily extend over a great length of time, and was in itself a matter of great difficulty and complication. He believed the only way the grievance of local taxation could be dealt with at present was by forcing it on the attention of the Government in a way that could not be misunderstood.

Mr. GOSCHEN said, in making a few observations on the question of local finance, he should bear in mind the lateness of the hour, confining them within the narrowest possible limits, and avoiding the ground travelled over by previous speakers. It seemed to him that in some respects the Motion of the hon. Member for South Leicestershire (Mr. Pell) might remind the House of the Motion on the subject of economy with which they had dealt a short time ago—a Motion charming in the abstract, and commanding an extraordinary amount of Parliamentary support. The hon. Member called upon them to move in the direction of relieving the oppressed ratepayers. Now, hon. Members were all ratepayers, and the Representatives of ratepayers as well; and he was sure nothing was more dear to them, both as Representatives of their constituents and personally, than to be able, where it was possible, to relieve ratepayers of their burdens. But there was one circumstance that had been lost sight of a good deal in the course of the debate, and that was that ratepayers could not be relieved except by the imposition of additional burdens upon the taxpayers; and, accordingly, they had to ask themselves, in discussions of this kind, where were the funds to be found, and what were the imposts, by which the revenue was to be made that was to go to the relief of the ratepayers? And the next question they must ask themselves was, how would the new taxation to be raised affect those various classes of ratepayers, whom hon. Members opposite, and sometimes hon. Members on that side of the House, grouped together; but whose interests were vastly different, and whose claims on the attention of the House were of a totally different character? The hon. Member for South Leicestershire had done what had been often done before, and with charming frankness he said he did not wish to separate between the case of owners and occupiers, or between the owners and the occupiers in the country and the owners and occupiers in the towns, inasmuch as they all wished to come together and to approach Parliament with a joint grievance. But he thought that Parliament was well entitled to ask, when the owner and the occupier came together arm-in-arm to the Bar of that House, whether their cases were really on all fours, and whether the House, in its effort to do justice to the one, might not over-satisfy, or leave unsatisfied the claim of the other? He thought it could not be too strongly borne in mind that in these cases they must consider the interests of the various classes. They did not, of course, wish to set class against class; but they were bound, as representing not only ratepayers but taxpayers, rigidly to examine the claims of the various classes who came to them asking for relief. Now, there were five classes whose interests might be parallel, but were certainly not identical—namely, the owners in the country, the occupiers in the country, the owners of ground rents in the towns, the builders and owners of houses, and the occupiers of houses, and each of these classes stood upon a perfectly different footing. Each of them might be entitled to come to the House for relief; but their cases would not be of equal strength. He would illustrate his meaning by commenting on what had been said by the hon. Member for South Leicestershire, with regard to the occupiers of houses in Birmingham. The hon. Member had drawn a picture of the amount of local rates paid by occupiers in Birmingham, and contrasted it with the amount of rent, stating that the amount of rate paid appeared to be enormous as compared with the amount of rent. But did the hon. Member mean to say, if the whole of the rates in Birmingham were remitted to-morrow, that all the relief would go to the occupiers of houses? Was it not certain that a large portion, possibly the largest portion, or it might be the whole, of that remission would go to the owners of houses, and not to the relief of the ratepayers, whose burdens they were all anxious to lighten? He ventured to regard these things as considerations which they were bound not to ignore. They could not simply come forward and say, as in the Motion before the House, that they wished to grant adequate relief to the ratepayers; they must ask themselves, when they came to grapple with the question, where was that relief to go to, and out of whose pockets would the money come from which that relief was to be given? Now, the noble Viscount who seconded the Motion (Viscount Emlyn) spoke of the relief to be given to real property; but this was a totally different question to that placed on the Paper by the hon. Member for South Leicestershire, who spoke of relief to ratepayers. He was delighted to hear that evening that the hon. Member, as well as other hon. Gentlemen opposite, had become converts to the principle of dividing rates between owners and occupiers, which he himself had recommended in

1871 on behalf of the Government of the day. It was perfectly certain, to his mind, that if that proposal had been accepted at the time, a great portion of the increased burden of local taxation which had fallen on the occupiers of agricultural land—certainly those holding from year to year—would have fallen on the owners. He thought the hon. Member for South Leicestershire would acknowledge that the owners were ratepayers but to a very slight extent. There was this great inconvenience in the discussion of this question, which was always presenting itself, that two classes of persons claimed that they were paying the same rate. The owners of property said that the burden fell upon them; but when they argued the matter in the House or out of it they said it fell upon the tenants and occupiers, knowing that the sympathy evoked on behalf of the tenant would support the case for relief in the matter of rates which would ultimately go to the landlord. He wished to be perfectly fair to all classes, and he would admit to the full that if the landlords had a case in 1871 for a certain amount of relief from the burdens of local taxation, that case was stronger now. The landlords' rents had been reduced, and yet they had to continue to make full payments on property that was mortgaged, and the decrease of rent had fallen on the margin that came to them; the burden of local taxation had fallen on rents which had decreased to a very considerable extent; and, therefore, he repeated, that the claim of the owners of property was stronger now than it was in 1871. He made the further admission with regard to occupiers of houses and farms, that the education rate was a great additional burden upon them, and that, ultimately, a portion of that rate falling upon owners, the matter was one which Parliament could not fail to take into account in the arrangement of local taxation. But he thought the House would be unanimous in its opinion that they could not proceed with the re-adjustment of local taxation without looking as well to the incidence of Imperial taxation. They must see whether any class claiming relief in respect of local burdens was or was not in a favourable position with regard to Imperial taxation. Before the fall in rents and the increase in rates, it could not be denied that land in England was less burdened in regard to Imperial taxation than land in any other European country; and it appeared to him that if the matter had been considered during the course of legislation with regard to local taxation, it would have been found that real property had not borne that share of Imperial taxation, which, undoubtedly, would have fallen upon it but for the fact that it had to bear what were called the hereditary burdens upon it. He did not know to what extent hon. Gentlemen opposite admitted the existence of hereditary burdens upon land. [An hon. MEMBER: Not at all.] Well, he could assure the hon. Gentleman that he was mistaken, and would, at the same time, advise him not to push his denial too far. There were two theories which were possible. One was that in proportion as the personal wealth of the country increased, land ought to be relieved; the other theory was that land had always borne a certain amount of taxation, and it was an element which had been taken into consideration in the purchase and sale of estates during generations, that this constituted a regular charge upon land. Without going at length into the subject, owing to the lateness of the hour, there were certain problems to be accurately and fully considered in dealing with the question of local burdens. In the first place, whom did they wish to relieve, and how would any measures they might take act upon the classes he had enumerated? How could they avoid, by any general tax, helping one of those classes too much who did not require help, and the other too little whom they would all like to assist? There was a proposal made by Her Majesty's Government in 1871 with regard to the House Tax; and in the debates upon it hon. Members opposite, as well as some hon. Members on that side of the House, were always prepared to admit and to urge that the case of the towns was as strong as that of the country, and when they examined the rates it was clear that the great increase had taken place in the towns. But when a proposal was made, based upon the fact which even hon. Members admitted, that the towns claimed most relief, and when the House Tax, which would have afforded relief, was offered them, hon. Gentlemen opposite said it was totally inadequate, because it did not assist the rural districts, which, by their own showing, had not the same grievance as the urban districts. He thought, with the Mover of the Amendment, that the best way of giving relief would be to hand over to the localities certain special taxes. But he was prepared to admit, with hon. Gentlemen opposite, that those taxes must be carefully examined, in order to see that some relief was given in every quarter where relief was required. Hon. Members, in advocating these remissions, would do well to consider how they were going to raise the money by which they were to meet this increased demand, because they might find that a very awkward question with regard to the taxation of real property might be raised simultaneously with the question of relief of local burdens. Now, with regard to the question of the money out of which the proposed charges were to be met, no single suggestion had, in the course of the debate, been made by hon. Members opposite. There was that convenient entity—if it was an entity at all—the Consolidated Fund. But this, after all, was only a certain Revenue raised by the taxation of various classes of the community, and the suggestion of going upon the Consolidated Fund was simply a euphony for putting taxes upon incomes, or upon commodities which it was now necessary to tax for Imperial purposes. The right hon. Gentleman (Mr. Sclater-Booth) had said that the late Government had managed to find the money that was necessary by savings; but was it not possible that if this subvention had not been paid some taxes would not have been remitted; and was it not clear that some of the taxes left in force were the sum which was handed over in the shape of a subvention for various purposes? Hon. Members opposite had, one and all, told the House how very little better off they were now that this subvention had been handed over to them. There was one other point in connection with this matter to which he attached an importance as great as, if not greater than, to that cf which he had already spoken—namely, the question of taxation. There was another subject which was much more important, and that was how these questions affected the future in regard to centralization or decentralization—how far they affected the plans of the Government, and he trusted he might say the plans of the Liberal Party, with regard to future local self-government. He would venture to say to hon. Members opposite who had spoken of handing over the police or lunatics or the indoor poor altogether to the Central Government, was it wise to part with any portion of their local influence and local work for the sake of the cash that might be given in relief? That appeared to him to be a matter to which they ought to pay the greatest attention. He believed there was nothing that was pregnant with more good consequences in the future than that when they had established County Boards they would be able to give them every possible function, and relieve the Central Government, as far as they could, of a great deal of this work; and before a reform of that kind was carried out, it would not be wise to enact anything which should have the effect of handing over local functions to any Central Board. He thought he might say that it would not be Conservative to take a line of that kind. It was not Conservative to weaken all the local action of the country gentlemen, and, because they wished to reduce rates, to part with that influence which they had in managing local affairs. He did not believe that, on consideration, they would think it wise to hand over, as had been suggested, the whole of the police to a Central Authority. It would be entirely in conflict with the general movement which they had elected to follow; but he would go very much further. He should wish not only to refrain from transferring that portion of local work to Central Boards; on the contrary, he was anxious to see as much Imperial work transferred to County Boards as could be transferred; and he should be glad, by improved arrangements of finance, to see County Boards made far more masters of the situation, both financially and administratively, than they were at present. They must not minimize the future of these County Boards, as he was afraid the right hon. Gentleman who had just spoken had done. Hon. Members opposite had taxed those on this side with having been lukewarm in giving relief to local burdens. He thought, however, they would be equally entitled to say that hon. Members opposite had been lukewarm in advocating and promoting these reforms of local self-government, which they on this side thought far more essential in order to reduce local rates than any subvention or any premature financial action. Hon. Members opposite said those on this side wished for delay in this matter; and several hon. Members had said that by such Amendments as this they wished to delay such relief. There were many hon. Members on this side who represented occupiers in agricultural districts, as well as in towns, quite as much as hon. Gentlemen opposite; but it was because they were convinced that the matter must be treated as a great whole, and that they could not merely improve local finance and local administration. Through good repute and evil repute they had stood by this—that they must introduce local reform at the same time as they introduced local relief. What happened when hon. Members opposite were in Office? They got some of their subventions—a million or two were shovelled to them from the Consolidated Fund; and then there was the greatest lukewarmness shown with regard to the County Bill which the right hon. Gentleman opposite introduced, and which received but scant support. The hon. Member for South Leicestershire (Mr. Pell) said he had continually urged that relief should be given in respect to national services required for local purposes. Now, what were national services? What was really local work, and what national work? Hon. Members opposite sometimes seemed to wish to extend their definition as if it were this—that whatever interested the nation was national work. But there was nothing local which, in that sense, was not national. The interests of the locality were the interests of the nation; but he would wish to invert the definition, and say all that was local work which admitted of being advantageously treated locally, and all that was national work which could not be treated locally. He would say that whatever work they could do locally well and fairly, it was best to do locally, in order to relieve the Central Authority, and, at the same time, to do that to which many attached the greatest importance—namely, to continue to excite more local interest in local affairs. Therefore, far from admitting, as hon. Members opposite continually urged, that they ought to look at these matters of administration and say, if they were national, then the nation should pay, they should look at them in this way—Can they be performed well locally, and, if so, let the locality perform them. That seemed to him to be a far sounder method than attempting to transfer every possible charge to the Consolidated Fund. He ventured to submit these considerations to the House; and he hoped hon. Members would not be led away by the idea that any particular service could be performed somewhat better or somewhat more cheaply by the Central Authority, in order to make a case for deciding that the Central Authority should take it in hand and pay for it. There was great danger of their being led away from the point of local administration, because, on the one hand, there was the temptation of relief to the ratepayers; and, on the other hand, there was some small administrative advantage. All the advantages, financial or administrative, would be gone if they sacrificed for that purpose any local activity which might be called into force. He hoped the House would vote for the Amendment of the hon. Member for South Northumberland, who brought together the reform of local government and the reform of local taxation, and who put down his foot, as he hoped the House would, against simply giving relief, as it had been given in the past, in a manner which afforded little relief to those who desired such relief, but which struck at the basis of those principles of local self-government which he maintained ought to be upheld.

Sir STAFFORD NORTHCOTE: At this hour of the night, and after the long and interesting debate which we have had, I feel it would not be right for me to intrude for any length of time on the attention of the House, and I shall certainly not go into the large questions that have been discussed in the course of this evening. But I do desire, before the House goes to a division, to point out what appears to me to be the question at issue between us on the present occasion. If the Amendment of the hon. Member for South Northumberland were an original Motion proposed by him, and brought forward for the purpose of calling attention to the important subject to which it relates, I, and I have no doubt many others, would have looked upon it as a Motion to quicken the zeal of the Government, and to promote the cause which, as has been truly said by the right hon. Gentleman (Mr. Goschen), is a cause that in past times interested many who sat on that side of the House, as well as the large mass who sat on this side. If that had been the position of the case, and the Amendment of the hon. Member for South Northumberland had been the original Motion, I think we should have viewed it in that light. But we have to view it not as an original Motion, but as a Motion intended to meet, and in some way or other intended to overthrow, the Resolution moved by the hon. Member for South Leicestershire. The hon. Member for South Leicestershire comes forward to claim, on behalf of the ratepayers of the country, some measure of relief from taxation — from burdens which they consider inequitable and severe; and he tells us he brings forward his Motion now because of the great pressure to which the ratepayers are subjected. How is he met? He is met by the hon. Member for South Northumberland, speaking, as it would seem, in the interest, and on behalf of, a large body of Gentlemen opposite, by what I can only call a dilatory plea, against any immediate action. My hon. Friend is moved to the course he has taken by the fact that this Government, having been in Office for three years—or, rather, being in their third year of Office—have not produced—though we have heard a great deal of talk about it—some measure for the reform of County Government, or some possible suggestions for the relief of local burdens. Nothing definite or tangible has come from them; and the manner in which the subject was referred to in Her Majesty's Speech this Session gives us very little hope that it will be seriously taken in hand this Session. My hon. Friend comes forward, and though he is reproached for it, I think, on the contrary, he ought to have been approved of for the form in which he has put his Resolution, which simply calls on the Government to act in the matter, without attempting to prescribe the precise form in which they should begin to act. The hon. Member for South Northumberland then comes forward with what is a Motion for one of two things—either it is meant simply as a dilatory plea in order to shelter the Government from the reproach cast upon them by the necessity of bringing forward such a Motion as that of the hon. Member for South Leicestershire; or it is a proposal of something in the nature of a definite plan as a guide which is to be imposed by the House upon the Government in regard to their future action. I am bound to say I think that is going rather too far. It might be very proper to say this should be the line of action to be taken; it might be proper that the relief to be given should be given by the transfer of particular taxes; but that is a matter which ought to be recommended on the responsibility of the Government, and it ought to be recommended not in general phrases of that kind, but by some definite proposal which we could see and understand; because the use of this expression, "transfer of particular taxes," is one of the most delusive and ambiguous that I have ever heard. We heard a most extraordinary opinion on the subject from the right hon. Member for Ripon (Mr. Goschen). He comes forward, speaking with an air of great logical precision, and says, while he denounces the taking of money from the Consolidated Fund, he is ready to agree to the transfer of a tax before it gets into the Fund. I want to know what is the difference? If the money is to be taken from the people to be taxed, what is the difference which the right hon. Gentleman makes the great fundamental difference in principle between arresting the money before it gets into the Exchequer, and taking it out afterwards? The right hon. Gentleman would have us assign some particular taxes. Well, but that is exactly where the great difficulty would arise. He would take money from the pockets of the people, just as he would take it from the Exchequer, when the whole of the Revenue is paid in; but he is not going to take it from the General Fund, but from some particular tax which is to be allocated for that purpose. But it would be extremely difficult to define any tax in such a way that it would produce exactly what was wanted in each particular county—neither more nor less; whereas the money coming to the Exchequer may be applied where it is wanted. The right hon. Gentleman seems to desire to go back to the time when particular taxation was assigned for a particular purpose, instead of taking the Revenue as a whole, and applying it as a whole. Possibly the right hon. Gentleman may have in his mind something very different. He may have in his mind the idea that, as a Local Authority has to raise the taxation, it ought to impose it. We should like to know if that is what he means, because serious questions would then be raised—questions that ought to be carefully considered. Such a proposal would not exactly harmonize with the Amendment which is moved by the hon. Member for South Northumberland; because what he speaks of is relief by the transfer to Local Authorities of the Revenue proceeding from particular taxation; he proposes that taxation ought still to be levied by Imperial authority, and still to be collected by Imperial machinery, and only handed over at that stage of the process. Now, I have drawn attention to that, because I think it is important that we should be put into possession of some plan rather more definite than the Government have yet ventured to give us. They are always ready enough to cry out and abuse any steps that we, on this side of the House, or that the late Government have taken in this matter. We have, at least, this to say. We may have been wrong in our views; but, at all events, we did try our best to put what we had promised into practice. Whether subventions are or are not the best way of dealing with the question, we have not yet been shown a better method. We have always been prepared to take into consideration any other and better means of giving relief. The hon. Member for South-West Lancashire (Sir R. Assheton Cross) suggested to the late Government, and we accepted the suggestion, that there was another service to which assistance might be given, and given not by way of subvention, but by way of delegation—I think that was the word; that is a favourite word on the other side, and the hon. Member for South Northumberland (Mr. A. Grey) used it as one of his alternatives—by the delegation of the service of the prisons to the State; and in that way great relief was given to the local ratepayers, and, at the same time, an administrative improvement was effected. We are most anxious that anything that is done in this way should be, as far as possible, an administrative improvement as well as a relief. We are told we must keep back this boon, however much we think the country is entitled to it; that we must keep it back as a means of inducing the House to adopt something the Government is going to propose with regard to local government. If what you propose is good it ought to be accepted on its own merits; and if it is not good you ought not to try to drive people to accept it. Let us have your scheme as soon as possible, and let us see what we are about, and do not throw it in our teeth that we have done nothing in this matter. I have no doubt the Government will, in due time, or when they have disposed of everything else, condescend to cast their eyes upon this question, which we think is a great one, and which, not long ago, some of their supporters thought was a great one. I could not help feeling a little sympathy with the right hon. Gentleman the President of the Local Government Board (Sir Charles W. Dilke), for it struck me that his speech must be very much like the speech he had been meditating making when he had the pleasure of asking leave to introduce the Bill for dealing with County Government. I thought the right hon. Gentleman made some very admirable observations as directed to such a point. I am afraid this matter stands very much as it has done for some time in the hands of right hon. Gentlemen opposite. If there is anything that the present state of things reminds me of, it is of a scene in Shakespeare's *Taming of the Shrew.* Katherina, the heroine, is very much reduced for want of food, and entreats the servant to give her something to eat—one thing is offered and then withdrawn; another thing is offered and withdrawn also; and at last it comes to beef and mustard. She jumps at the idea of beef and mustard, for it was a dish she loved to feed upon. The servant pointed out that the mustard was too hot, and then she would have the beef without the mustard. The servant insisted upon her having the mustard, or else he would give her no beef. She came to a conclusion which I think is a very proper one for us to arrive at in this matter of local taxation—

"Thou feed'st me with the very name of meat."

MR. GLADSTONE: The right hon. Gentleman complains that my hon.

Friend (Mr. A. Grey) has proposed an Amendment which is in the nature of a dilatory plea, and says that it ought, on that ground, to be rejected by the House. I say there is no occasion for a dilatory plea in this instance. We have been told from the opposite Bench that there is a great zeal on that side of the House for a reform of local government; and we on this side of the House have never scrupled to confess that we deem it an essential condition of any satisfactory and comprehensive measure for the adjustment of local taxation. I doubt very much whether the right hon. Gentleman was wise in provoking a comparison of the relations of the present and past Governments respectively to the subject of local taxation. It is perfectly true that we have been three years in Office, and it is also perfectly true that we have not introduced a Bill for the reform of local government. But, Sir, have we lost any opportunity for introducing and pushing forward such a Bill? What was the year, what was the Session, what was the period when there has been time to procure a proper discussion of such a Bill in this House? I should be very glad if I received a suggestion of such a time; but I received no suggestion. The House knows perfectly well that our first Session commenced late in the month of May, and that even of that Session a large portion was occupied with Irish affairs of the most urgent character; that our second Session was given up almost entirely to affairs connected with the condition of things in Ireland, such as was altogether without precedent; and that last year, when we had not scrupled to advise the delivery from the Throne of a Speech positively holding out the question of local government as a principal subject to engage the attention of Parliament, again imperative necessity, connected with the state of Ireland, intervened—[*Laughter*]—which may form a very fit subject for laughter in the view of some hon. Gentlemen opposite, but which they ought to know, if they do not know, did constitute demands of a kind that it was impossible to set aside, and did render it absolutely and notoriously beyond our power to submit this great and comprehensive subject to the consideration of the House in a practical form. Whether that was the case with the late Government I am not so sure. The right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) says he is a zealous local government reformer. He sat through six years, and saw the opening of seven Sessions of Parliament with great patience upon this Bench, without ever giving the slightest indication of that eagerness to deal with this question which he now professes; and I am not aware that any great public exigency in Ireland or elsewhere, or any great works of legislation in this House, stood between the late Government and the most effective handling of the great subject of local government. In one case it has been inability and not want of will—inability through the irresistible pressure of more imperative demands—that has prevented us from what I will not hesitate to say would have been a redemption of the pledges we gave when, in addressing the constituencies of the country during the Election of 1880, we held up local government as a subject that ought to engage the practical attention of the present Parliament. Now, let us examine what force there is in the right hon. Gentleman's remarks. The right hon. Gentleman wishes to urge, as an objection to the Amendment, that it is a dilatory plea. I say there is no question of a dilatory plea, except where there has been delay, and there has been no delay, unless more time has been appropriated otherwise which might have been given to the discussion of this matter. Let us see how we stand with regard to the Motion, and ascertain what it is the Motion does. In one respect it is perfectly plain. It calls for an immediate imposition of new taxes on the country. ["No!"] No! Then, what is the meaning of the declaration that there is to be no further delay in granting adequate relief to the ratepayer? No further delay, I presume, means an immediate measure of finance.

Mr. PELL: Exchange of rates for taxes.

Mr. GLADSTONE: The hon. Gentleman again interrupts me without cause. I have said nothing in opposition to that; but some Friend of the hon. Gentleman contradicted me when I said what was meant was an immediate imposition of new taxes. I am glad to have the hon. Gentleman's authority for saying he does mean the imposition of new taxes on the country. That is perfectly plain, and I claim the protection of the hon. Gentleman against any further imprudent interruption. I think it would have been well if that admission, which is now made, had been made at the commencement of the debate. The hon. Gentleman knows that there is no surplus in the Exchequer, yet he has made a considerable demand for money. I admit he has not told us what his demand is; but he says the relief is to be adequate. He has not told us what he considers an adequate relief; but one of his supporters, the hon. Member for South Shropshire (Sir Baldwyn Leighton), who informed us that he is most moderate in his demands, speaks of £3,500,000 being necessary.

SIR BALDWYN LEIGHTON: Perhaps the right hon. Gentleman will allow me to explain. An hon. Member opposite mentioned the sum of £5,000,000, and another the sum of £7,000,000; and I said that my demand was modest as compared with theirs.

MR. GLADSTONE: The hon. Gentleman described himself as one eminently moderate in his demand, and the demand upon the Exchequer was a demand of £3,500,000. Then it is to be understood that at this moment—when the hon. Member himself and the whole House, I may say, have assented to the general plan of my right hon. Friend the Chancellor of the Exchequer, and have accepted a remission of the Income Tax to the amount of £2,500,000—it is at such a moment this demand is made, without the admission, which I think ought frankly to have been made, that it means a total reversion of the steps you yourselves have taken in the last three weeks, for what is proposed is the introduction of a new financial plan for the year, and the imposition, whether through the augmentation or otherwise, of some millions of fresh taxation in the country. This is a matter which does not appear to have attracted the attention of the right hon. Baronet (Sir Stafford Northcote), or of any one of the hon. Gentlemen who have addressed the House in support of the Motion. There was to be no delay; there was to be a reform of local government; there was to be plenty of money; but there was not the slightest hint, in any one of the speeches, that this money meant new taxation. Let us see what besides new taxation we find in the Motion. As I have said, it gives us no assistance in determining what is adequate relief. A Gentleman may raise his demands to whatever point he pleases, for no light is given us on the subject. I cannot understand on what principle it is possible for hon. Gentlemen who accepted a reduction of the Income Tax only a few nights ago to come down to the House now with a proposition which, if it means anything at all, means that that reduction must be retracted. But, Sir, beyond that, let it be understood we fundamentally object to this Motion, because it disconnects the subject of local taxation from the subject of local government. We do not find that responsibility, we do not find that unity, we do not find that security for the most economical methods of administration in the present diverse and chaotic methods, as they were once called by my right hon. Friend, by which local expenditure is conducted, which would induce and encourage us to take bold steps in advance towards the further re-adjustment of local charges, and the provision of that local government which, in our opinion, is an essential part of any plan. The Amendment has nothing whatever to do with driving anyone to accept local government for the sake of obtaining relief from local taxation; but it means that if large sums of money are to be collected by the Imperial Government for the purpose of aiding local expenditure, it is the duty of Parliament to see that the organs through which that expenditure is conducted are brought into a thoroughly efficient and satisfactory condition. Well, the Motion which thus disconnects the subject of local taxation from the subject of local government goes, in our opinion, directly to affirm that method of assisting local charges which is the very worst that can be conceived—I mean the method of subvention; and I think what we have heard to-night goes to confirm a good deal of our defection on this subject. One of the greatest objections I entertain to this method of subvention is founded on its tendency to promote centralization, the greatest of all evils, and the most menacing, in my opinion, to liberty with which the country can be threatened. And how has this been illustrated to-night? Why, the great advocate of this relief to local charges, while denying that his system tended to the increase of centralization, has made in this House the unheard-of proposition that the whole management of the police of the country, the whole machinery for giving local security for life and property, should be handed over from the Local and Municipal Authorities and should be placed in the hands of the Central Executive Government. I am bound to say I do not believe that such a proposition would receive any general support, even from the opposite side of the House; but it is a fatal proof and demonstration of the tendency of this method of subvention to promote centralization, when the greatest advocate of the system produces the most extravagant proposal of centralization that ever has passed the lips of a Member of the House. Then, with regard to the economy of the question, the hon. Baronet denied that the present system tended to waste; but the hon. Baronet himself supplied the contradiction of his own assertion; because, as he stated, already the power over the police has, in a great degree, passed out of the hands of the Local Authorities, and the increased charges that have been incurred, and which we have seen taking place in so many parts of the country, since the system—the first system and not the second — of subvention was adopted, have resulted from the interference of the Central Government. We have heard it stated, with truth and justice, to-night, that much augmentation of expenses have been pressed, if not forced, on the Local Authorities, entailing increased burdens on the ratepayers as the effect of the system of subvention to which, unfortunately, some hon. Members seem so obstinately to lean. My first two objections are that these two systems tend to waste and centralization; but the hon. Member for Youghal (Sir Joseph M'Kenna) has given Notice of a Motion in which he justly points out that it is all very well for the hon. Member for South Leicestershire (Mr. Pell) to state the case of the English ratepayers, and also to have some sort of consciousness that there were also ratepayers in Scotland, but that this is essentially an English Motion, and the immediate effect of its adoption will be a total derangement of many principles of justice which require equal regard to the circumstances of the Three Kingdoms in a measure of this description. If you were to proceed to give a large relief to the English ratepayers to-day, and to say that the case of the Scotch and Irish ratepayers will bear delay, what does it come to? It comes to this—that these new taxes to provide funds in relief of rates are to be imposed at once on Scotland and Ireland in order that English ratepayers may derive the benefit.

Mr. PELL said, the right hon. Gentleman had misunderstood him; perhaps he had not properly explained himself. He had not said anything to imply that the operation of his Motion was not intended to extend to the Three Kingdoms. His intention was quite the reverse; but he was obliged to argue the matter from an English point of view; because the statistics in reference to English taxation were clearer and more ready to hand than those relating to Ireland and Scotland.

Mr. GLADSTONE: I make no complaint of the speech of the hon. Member, or of what he has now said; but I stated that his Motion is not a Motion which is adapted to the circumstances of Ireland; and anyone who reads the Motion will find that it was framed by a person who had not the case of Ireland in his contemplation. My point is that while, without any further delay, this measure of relief would affect one portion of the Three Kingdoms, the means of supplying it can only be provided by a taxation which would be borne by the whole of the Three Kingdoms. And there is a point which I trust those who sit on this side of the House will never forget in discussing this question, and one with which the right hon. Gentleman the Member for Ripon (Mr. Goschen) is so well acquainted. The transfer of rating charge to the Exchequer, in whatever form it is done, is a question of a transfer from a fund supplied almost entirely by property to a fund supplied, in a very large degree, by labour. I am far from denying that the general contention on which the hon. Gentleman (Mr. Pell) proceeds has truth and justice on its side. We have never denied the principle that there is no call of justice to lay the supply of local wants exclusively on visible property; but this House ought not in the dark to set about to transfer clandestinely from time to time, and piecemeal to hand over to a fund largely supplied by the labour of the country, charges which ought to lie on the property of the country. That is a contention of the greatest importance. Every time we place a grant in aid upon the Consolidated Fund we commit the offence of laying upon labour a very large proportion of the charge heretofore borne by property. I grant that the hon. Gentleman has in view the removal of an injustice; but that is no reason why we should commit another injustice. It has been admitted fairly enough by the right hon. Gentleman the Member for North Hants (Mr. Sclater-Booth), within the last half-hour, that, whatever may be its immediate effect, the ultimate object of the Motion is to benefit entirely, or almost entirely, the owners of visible property of the country. Can there be a more obvious deduction than the deduction which we draw—that it is our duty, in considering this great subject, to take into view the position in which the owners of realty stand now with respect to Imperial taxation, and to take care that you institute such a review of your system as shall enable you to do justice, in the first place, between the Three Kingdoms; in the second place, between the different descriptions of property; and, in the third place, between the different classes of the community? Every one of the principles I have stated is in danger from the continuance of a system of proceeding by subventions. These are the reasons which constitute for us very strong objections to the adoption of Motions of this kind. The right hon. Gentleman says that we are proposing something like a return to the barbarous system when particular taxes were raised with reference to particular outlay. The right hon. Gentleman knows very well that we have in view something of a totally different character; and that is to prevent, what I do not think he will venture to deny, a course of injustice, if, under the name of relief to local taxation, you are going to lay upon labour a large portion of the charge now borne by property. ["Oh, oh!"] I am astonished at these manifestations of dissent. Is not a system of subventions a transfer from local rates to the Consolidated Fund? Is not the foundation of your grievance, as you yourselves tell us, that the local rates are raised from one description of property, and that one description of property ought not to bear the burden? And is it not also true that a very large portion of the Consolidated Fund is supplied, not by property, but by labour? These are elementary propositions, the utterance of which by me two minutes ago drew forth those inarticulate manifestations of dissent which have led me to give this demonstration. Therefore, I think I have shown that our objections to the Motion of the hon. Member are founded upon solid principles; and that it is not because we wish to escape from the settlement of this question that we decline to accept it. It is because we desire that our settlement shall be solid, and comprehensive, and just to the Three Kingdoms of Her Majesty, to the different descriptions of property, which we agree in principle should be subjected to charges of this kind in one form or another, and, above all, to the different classes of this great community.

Sir JOSEPH M'KENNA (who was received with loud cries of "Divide!") said, he had sat in his place many hours, whilst those Benches from which those sounds of impatience now arose were nearly empty, and had risen to address the House again and again, but had not succeeded in catching Mr. Speaker's eye. He claimed, at that hour, but a few minutes, and thanked the Prime Minister for having taken notice of his Amendment on the Paper of the day. The Imperial taxation of Ireland, as well as her local taxation, was increasing at a rate per cent, having regard to the means of both Islands, enormously greater than the rate of increase in Great Britain. He thought these were reasons which justified him in putting upon the Paper the Motion which stood in his name; but which, after the observations that had fallen from the right hon. Gentleman at the head of the Government, he should not move, because the Prime Minister recognized the same principles as were contained in that Motion.

Question put.

The House *divided*:—Ayes 216; Noes 230: Majority 14.

Mr. PELL: Sir, I have to report to you that a Vote has been given in mistake by an hon. Member who did not hear the Question put—namely, the noble Lord who sits for the borough of Chichester.

Lord HENRY LENNOX: Sir, I did not hear the Question put.

Mr. SPEAKER: I must ask one of the Tellers for the "Noes" to come to the Table and say if he supports that statement.

Mr. A. GREY: Sir, I have to report that I did not see the noble Lord.

Mr. SPEAKER: I will now ask the noble Lord whether he heard the Question put?

Lord HENRY LENNOX: Sir, I did not hear the Question put.

Mr. SPEAKER: I will then put the Question to the noble Lord.

Question again put.

Mr. SPEAKER: Does the noble Lord record his Vote with the "Ayes" or with the "Noes"?

Lord HENRY LENNOX: With the Ayes, Sir.

Mr. SPEAKER directed the noble Lord's Vote to be added to the Ayes:—Ayes 217; Noes 229: Majority 12.

## AYES.

Alexander, Colonel C.
Allsopp, C.
Amherst, W. A. T.
Ashmead-Bartlett, E.
Aylmer, J. E. F.
Bailey, Sir J. R.
Balfour, A. J.
Baring, T. C.
Barne, F. St. J. N.
Barttelot, Sir W. B.
Bateson, Sir T.
Beach, rt. hn. Sir M. H.
Beach, W. W. B.
Bective, Earl of
Bellingham, A. H.
Bentinck, rt. hn. G. C.
Beresford, G. De la P.
Biddell, W.
Birkbeck, E.
Blackburne, Col. J. I.
Boord, T. W.
Bourke, rt. hon. R.
Brise, Colonel R.
Broadley, W. H. H.
Brodrick, hon. W. St. J. F.
Brooke, Lord
Brooks, W. C.
Brymer, W. E.
Bulwer, J. R.
Burghley, Lord
Burnaby, General E. S.
Buxton, Sir R. J.
Callan, P.
Cameron, D.
Campbell, J. A.
Castlereagh, Viscount
Cecil, Lord E. H. B. G.
Chaplin, H.
Christie, W. L.
Churchill, Lord R.
Clarke, E.
Clive, Col. hon. G. W.
Cole, Viscount
Collins, T.
Compton, F.
Coope, O. E.
Corry, J. P.
Crichton, Viscount
Cross, rt. hon. Sir R. A.
Cubitt, rt. hon. G.
Daly, J.
Davenport, H. T.
Davenport, W. B.
Davies, W.
Dawnay, Col. hn. L. P.
Dawnay, hon. G. C.
De Worms, Baron H.
Dickson, Major A. G.
Digby, Col. hon. E.
Dixon-Hartland, F. D.
Donaldson-Hudson, C.
Douglas, A. Akers-
Dyke, rt. hn. Sir W. H.
Eaton, H. W.
Ecroyd, W. F.
Egerton, hon. A. de T.
Egerton, hon. A. F.
Elcho, Lord
Elliot, G. W.
Estcourt, G. S.
Ewing, A. O.
Feilden, Maj.-Gen. R. J.
Fellowes, W. H.
Filmer, Sir E.
Finch, G. H.
Fletcher, Sir H.
Floyer, J.
Folkestone, Viscount
Forester, C. T. W.
Foster, W. H.
Fowler, R. N.
Fremantle, hon. T. F.
French-Brewster, R. A. B.
Galway, Viscount
Gardner, R. Richardson-
Garnier, J. C.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Giles, A.
Goldney, Sir G.
Gore-Langton, W. S.
Gorst, J. E.
Grantham, W.
Gregory, G. B.
Halsey, T. F.
Hamilton, right hon. Lord G.
Hamilton, Lord C. J.
Hamilton, I. T.
Harcourt, E. W.
Harvey, Sir R. B.
Hay, rt. hon. Admiral Sir J. C. D.
Herbert, hon. S.
Hicks, E.
Hildyard, T. B. T.
Hill, Lord A. W.
Hill, A. S.
Holland, Sir H. T.
Home, Lt.-Col. D. M.
Hope, rt. hn. A. J. B. B.
Johnstone, Sir F.
Kennard, Col. E. H.
Kennard, C. J.
Kennaway, Sir J. H.
Kenny, M. J.
Knight, F. W.
Knightley, Sir R.
Lawrence, Sir T.
Leamy, E.
Lechmere, Sir E. A. H.
Legh, W. J.
Leigh, R.
Leighton, Sir B.
Leighton, S.
Lennox, Lord H. G.
Lever, J. O.
Levett, T. J.
Lewisham, Viscount
Lindsay, Sir R. L.
Loder, R.
Long, W. H.
Lopes, Sir M.
Lowther, rt. hon. J.
Lowther, hon. W.
Mac Iver, D.
Macnaghten, E.
M'Carthy, J.
M'Garel-Hogg, Sir J.
Makins, Colonel W. T.
Manners, rt. hn. Ld. J.
March, Earl of
Master, T. W. C.
Maxwell, Sir H. E.
Mayne, T.
Miles, C. W.
Mills, Sir C. H.
Monckton, F.
Morgan, hon. F.
Moss, R.
Mulholland, J.
Murray, C. J.
Newdegate, C. N.
Newport, Viscount
Nicholson, W. N.
Noel, rt. hon. G. J.
North, Colonel J. S.
Northcote, rt. hon. Sir S. H.
Northcote, H. S.
O'Brien, W.
O'Connor, T. P.
O'Kelly, J.
Onslow, D. R.
Paget, R. H.
Peek, Sir H.
Pemberton, E. L.
Percy, Lord A.
Phipps, C. N. P.
Phipps, P.
Plunket, rt. hon. D. R.
Power, R.
Price, Captain G. E.
Pugh, L. P.
Puleston, J. H.
Raikes, rt. hon. H. C.
Rankin, J.
Rendlesham, Lord
Repton, G. W.
Ridley, Sir M. W.
Rolls, J. A.
Ross, C. C.
Round, J.
St. Aubyn, W. M.
Salt, T.
Schreiber, C.
Sclater-Booth, rt. hn. G.
Scott, Lord H.
Scott, M. D.
Selwin-Ibbetson, Sir H. J.
Severne, J. E.
Sexton, T.
Sheil, E.
Smith, A.
Smith, rt. hon. W. H.
Stanhope, hon. E.
Stanley, rt. hn. Col. F.
Stanley, E. J.
Sullivan, T. D.
Sykes, C.
Talbot, J. G.
Thornhill, T.
Thynne, Lord H. F.
Tollemache, hon. W. F.
Tollemache, H. J.
Tomlinson, W. E. M.
Tottenham, A. L.
Walrond, Col. W. H.
Warburton, P. E.
Warton, C. N.
Welby-Gregory, Sir W.
Whitley, E.
Williams, Gen. O.
Willyams, E. W. B.
Wilmot, Sir H.
Winn, R.

Wortley, C. B. Stuart-
Wroughton, P.
Wyndham, hon. P.
Yorke, J. R.

TELLERS.
Emlyn, Viscount
Pell, A.

NOES.

Acland, Sir T. D.
Agnew, W.
Ainsworth, D.
Allen, H. G.
Armitage, B.
Armitstead, G.
Arnold, A.
Asher, A.
Ashley, hon. E. M.
Baldwin, E.
Balfour, rt. hon. J. B.
Barclay, J. W.
Baring, Viscount
Barnes, A.
Barran, J.
Bass, Sir A.
Bass, H.
Baxter, rt. hon. W. E.
Biddulph, M.
Bolton, J. C.
Borlase, W. C.
Brand, H. R.
Brassey, H. A.
Brassey, Sir T.
Brett, R. B.
Bright, J. (Manchester)
Brinton, J.
Broadhurst, H.
Brogden, A.
Bruce, rt. hon. Lord C.
Bruce, hon. R. P.
Buchanan, T. R.
Burt, T.
Caine, W. S.
Campbell, Lord C.
Campbell, Sir G.
Campbell, R. F. F.
Campbell-Bannerman, H.
Carbutt, E. H.
Carington, hon. R.
Cartwright, W. C.
Causton, R. K.
Chamberlain, rt. hn. J.
Cheetham, J. F.
Childers, rt. hn. H.C.E.
Clarke, J. C.
Clifford, C. C.
Cohen, A.
Colebrooke, Sir T. E.
Colthurst, Col. D. La T.
Cotes, C. C.
Courtauld, G.
Courtney, L. H.
Cowen, J.
Cowper, hon. H. F.
Craig, W. Y.
Cropper, J.
Cross, J. K.
Crum, A.
Cunliffe, Sir R. A.
Currie, Sir D.
Davey, H.
Davies, R.
Dickson, J.
Dickson, T. A.

Dilke, rt. hn. Sir C. W.
Dillwyn, L. L.
Dodds, J.
Dodson, rt. hon. J. G.
Duckham, T.
Duff, R. W.
Dundas, hon. J. C.
Edwards, H.
Edwards, P.
Egerton, Admiral hon. F.
Evans, T. W.
Fairbairn, Sir A.
Farquharson, Dr. R.
Ferguson, R.
Ffolkes, Sir W. H. B.
Findlater, W.
Firth, J. F. B.
Fitzmaurice, Lord E.
Flower, C.
Forster, Sir C.
Fort, R.
Fowler, H. H.
Fowler, W.
Fry, L.
Fry, T.
Gabbett, D. F.
Gladstone, rt. hn. W.E.
Gladstone, H. J.
Gladstone, W. H.
Gordon, Sir A.
Gordon, Lord D.
Goschen, rt. hon. G. J.
Gourley, E. T.
Grant, Sir G. M.
Grant, A.
Grant, D.
Grosvenor, Lord R.
Gurdon, R. T.
Hamilton, J. G. C.
Harcourt, rt. hon. Sir W. G. V. V.
Hardcastle, J. A.
Hartington, Marq. of
Hastings, G. W.
Hayter, Sir A. D.
Henderson, F.
Herschell, Sir F.
Hibbert, J. T.
Holden, I.
Hollond, J. R.
Holms, J.
Hopwood, C. H.
Howard, E. S.
Illingworth, A.
Inderwick, F. A.
James, Sir H.
Jenkins, Sir J. J.
Jenkins, D. J.
Kensington, Lord
Kingscote, Col. R. N. F.
Labouchere, H.
Lambton, hon. F. W.
Lawson, Sir W.
Lea, T.
Leake, R.

Leatham, E. A.
Leatham, W. H.
Lee, H.
Lefevre, rt. hn. G. J. S.
Leigh, hon. G. H. C.
Lloyd, M.
Lubbock, Sir J.
Lymington, Viscount
Lyons, R. D.
Mackie, R. B.
Macliver, P. S.
M'Coan, J. C.
M'Intyre, Æneas J.
M'Lagan, P.
M'Laren, C. B. B.
Maitland, W. F.
Mappin, F. T.
Marjoribanks, E.
Marriott, W. T.
Martin, R. B.
Maskelyne, M. H. Story-
Maxwell-Heron, J.
Monk, C. J.
Moreton, Lord
Morgan, rt. hn. G. O.
Morley, A.
Noel, E.
O'Beirne, Colonel F.
Otway, Sir A. J.
Paget, T. T.
Palmer, C. M.
Palmer, G.
Palmer, J. H.
Parker, C. S.
Pease, Sir J. W.
Pease, A.
Peddie, J. D.
Pender, J.
Pennington, F.
Playfair, rt. hn. Sir L.
Portman, hn. W. H. B.
Powell, W. R. H.
Power, J. O'C.
Pulley, J.
Ralli, P.
Ramsay, J.
Ramsden, Sir J.
Rathbone, W.
Reed, Sir E. J.
Reid, R. T.
Richardson, J. N.
Richardson, T.

Robertson, H.
Rogers, J. E. T.
Rothschild, Sir N. M. de
Roundell, C. S.
Russell, Lord A.
Russell, G. W. E.
Rylands, P.
Samuelson, H.
Seely, C. (Nottingham)
Sellar, A. C.
Shaw, T.
Shaw, W.
Sheridan, H. B.
Shield, H.
Simon, Serjeant J.
Sinclair, Sir J. G. T.
Slagg, J.
Smith, E.
Smith, Lt.-Col. G.
Smith, S.
Spencer, hon. C. R.
Stanley, hon. E. L.
Stansfeld, rt. hon. J.
Stanton, W. J.
Stewart, J.
Summers, W.
Tavistock, Marquess of
Tennant, C.
Thomasson, J. P.
Tillett, J. H.
Tracy, hon. F. S. A. Hanbury-
Trevelyan, rt. hn. G. O.
Villiers, rt. hon. C. P.
Vivian, Sir H. H.
Waddy, S. D.
Walter, J.
Waterlow, Sir S. H.
Webster, J.
Whitbread, S.
Wiggin, H.
Williams, S. C. E.
Williamson, S.
Willis, W.
Wills, W. H.
Wilson, Sir M.
Wilson, I.
Wodehouse, E. R.
Woodall, W.

TELLERS.
Grey, A. H. G.
Heneage, E.

Words *added*.

Main Question, as amended, put.

*Resolved*, That this House, recognising the connection which must exist between the Reform of Local Taxation and that of Local Government, is of opinion that the relief granted to ratepayers in Counties and Boroughs should be by the transfer to Local Authorities of the Revenue proceeding from particular Taxes or portions of Taxes, and that a measure dealing with the whole question of Local Taxation and of Local Government is most urgently required.

---

LORD ALCESTER'S ANNUITY BILL.

Message from Her Majesty [13th April].

Resolution *reported*, and *agreed to*: — Bill *ordered* to be brought in by Sir ARTHUR OTWAY, Mr. Chancellor of the Exchequer, and Mr. Gladstone.

Bill *presented,* and read the first time. [Bill 145.]

### LORD WOLSELEY'S ANNUITY BILL.

Message from Her Majesty [13th April].

Resolution *reported,* and *agreed to:* — Bill *ordered* to be brought in by Sir Arthur Otway, Mr. Chancellor of the Exchequer, and Mr. Gladstone.

Bill *presented,* and read the first time. [Bill 146.]

House adjourned at Two o'clock.

## HOUSE OF COMMONS,

### *Wednesday,* 18*th April,* 1883.

MINUTES.]—Select Committee—Canals, Mr. Pickering Phipps and Mr. Slagg, *added.*

Public Bills — *Second Reading* — Parochial Boards (Scotland) [12]; Partnerships [40], *debate adjourned.*

*Third Reading*—Glebe Loans (Ireland) Acts Amendment * [136], and *passed.*

## *ORDERS OF THE DAY.*

### PAROCHIAL BOARDS (SCOTLAND) BILL.—[Bill 12.]

(*Dr. Cameron, Mr. Baxter, Mr. Barclay, Mr. Mackintosh.*)

### SECOND READING.

Order for Second Reading read.

Dr. CAMERON, in moving that the Bill be now read a second time, said, in 1879 he obtained a Return setting forth in detail the constitution of the various Parochial Boards in Scotland. From that Return it appeared that there were 880 parishes in Scotland; and of these only 11 were burghal parishes, five of these burghal parishes being monopolized by Edinburgh and Glasgow. The Boards of these parishes were incomparably, in point of constitution, the most rational to be found in Scotland, and he should deal with them first. In these 11 Burghal Boards the principle of representation was adopted. They consisted of some 30 members elected by the ratepayers, or a fewer number as might be determined on by the Board of Supervision, and these elected members were elected on a graduated franchise—First, the owner or occupier of property annually of the value of £20 had one vote, the owner of land of the value of £40 had two votes, and so on until they reached the value of over £500 a-year, in which case the ratepayer had six votes. The owner who was at the same time an occupier was allowed to accumulate his votes in the two capacities, provided that he never gave more than six. In addition to those elected representatives, there were at the date of the Return in two of the 11 burghal Parochial Boards eight members representing kirk sessions, and in the others there were four members representing kirk sessions and four representing the magistrates. In the entire 11 there were 80 representatives of kirk sessions and of magistrates, against 180 members elected by the ratepayers. His first business would be to explain how the representatives of kirk sessions came upon these Boards. Prior to 1845, when the Scotch Poor Law Act was passed, the paupers of the country were supported out of the collections made at the doors of the parish churches, dues exacted for the proclamation of banns and burials, mortifications, or bequests to the kirk sessions or the heritors for the behoof of the poor. In burghs these funds were managed by the kirk sessions and the magistrates, and in the country districts by the kirk sessions and heritors. The church-door collections were devoted by law to the relief of the poor, so much so that if a collection was made for a special purpose it was necessary to set aside the average amount of the ordinary collection for the poor before appropriating the surplus to any other purpose. When these resources failed paupers were giving licence to beg, and when that did not meet the emergency they had a theoretical right of appealing to the Court of Session to obtain an assessment to make good the deficiency; or, as in practice generally occurred, in rural parishes the heritors assessed themselves or the ratepayers generally for the purpose. When the Poor Law Act was passed church-door collections were handed over to the kirk sessions; but the other funds were reserved, or intended to be reserved, for the reduction of rates, and to be administered by the newly-constituted Parochial Boards. This enactment had been almost or entirely evaded; at all events, although his Friend Mr. M'Laren, formerly Member for Edinburgh and himself had both moved for Returns upon the subject, neither of them had been able to obtain any information regarding any monies handed over by the kirk sessions to Parochial Boards. Nevertheless, in virtue of the transference of those funds which the Legislature intended they should make, kirk sessions were given the right of nominating a certain number of representatives upon the Parochial Boards, and the magistrates who had been associated with them in the administration of these funds in the burghal districts were allowed, in parishes containing burghs, to nominate a certain number of representatives also. The kirk sessions of which he spoke were those exclusively of the Established Church. They consisted of the minister and elders, whom practically the minister, and nominally the congregation, appointed. The elders, who sat as representatives of the kirk session on Parochial Boards, must pay rates ; but the minister did not pay any rate. The original terms on which kirk sessions were allowed representation on Parochial Boards having thus been evaded, he did not see why they should continue to occupy their seats there. Even were the representatives of kirk sessions and magistrates eliminated from Parochial Boards, and only the most legitimate element in their composition allowed to remain—namely, the members elected by the ratepayers — he wished the House to understand precisely what sort of Board that would make ; and he proposed to show that, under the very best possible circumstances, it would still constitute the worst Representative Board of which, at the present moment, they were cognizant in Scotland. In Scotland the dates of Town Council elections and other public elections were fixed by law ; and in England the same rule held good in the elections of vestrymen and overseers of the poor, which were fixed by law for March and April. But in Scotland Parochial Boards were practically allowed to fix their own date for their elections. The rate papers for poor rates, as well as for other rates, were generally issued about the end of October ; but payment of these rates was not in any case enforced till the end of December or the beginning of January. People did not pay rates and taxes in advance, as a rule ; especially poor people. The people of Scotland had their rents to pay in November, and they did not care to pay their rates or taxes before they were obliged to. They paid their poor rates towards the end of December, and by so doing they avoided any penalty. They were not aware, in fact, that the rates were due before that date ; and their payment then sufficed to put all their names upon the roll of municipal and Parliamentary electors. If the Parochial Board elections took place, as in England, in April, they would be entitled to vote at parochial elections also. In many of the rural parishes in Scotland, and in some burghal parishes, the date of the election was fixed in January, and all the ratepayers had the same chance of being entered on the parochial roll as on the municipal and Parliamentary Roll. But in certain large parishes—in two Glasgow parishes, for instance, which were two of the largest in Scotland—the Parochial Boards had the date of their election fixed in November and the commencement of December ; and by this juggle—for he could call it nothing else—the majority of the ratepayers in the parish were disfranchised. He himself, for example, was detained in London last October, in consequence of the Autumn Session. [" Hear, hear ! "] Hon. Gentlemen said " Hear, hear ! " and he supposed most of them were in the same predicament. In consequence of being detained in London he did not receive his rate papers until his return North in December. He paid the rates weeks before they were enforceable under a penalty, and in ample time to secure for himself a place on the roll of municipal and Parliamentary voters. But if last year a parochial election had occurred in either of the parishes in Glasgow in which he was entitled to vote, and he had gone down for the express purpose of recording his vote, he should have found that he had gone on a fool's errand, because he had not paid his poor rate a month or six weeks in advance of that time, when they were enforceable under a penalty, and when the vast majority of people considered they first became due. He ventured to say there were many Members in that House who might have found themselves in a similar predicament, and he ventured to think the disfranchisement would have the effect of creating considerable astonishment on

*Dr. Cameron*

their part. They might, therefore, be the better able to conceive the astonishment which filled the minds of the majority of the ratepayers when they knew that they were disfranchised for the first time, on those rare occasions in which parochial elections even went the length of a general contest. What ordinarily occurred in the most favourable circumstances they would find set forth on page 6 of the Report of the Select Committee on Poor Law Guardians, &c., of 1878. In burghal parishes there was a public nomination of candidates. If more candidates were nominated than there were vacancies to be filled up, a meeting was called for a day or hour which the Parochial Board or its Inspector decided upon; and he might venture to say, in passing, that the hour selected was generally one at which men of business and shopkeepers could not attend without considerable inconvenience, and at which it was impossible for workmen to attend at all. Fifteen minutes after the appointed time the doors of the place of meeting were locked, the Inspector recorded the votes, and the candidates who obtained the highest number were forthwith declared elected, unless, indeed, 10 electors protested, and within two hours after the close of the proceedings lodged a formal demand for the issue of voting papers. But generally the public, which took such a lively interest in school board elections, and in municipal and Parliamentary elections, knew nothing about these preliminary mysteries. People had a vague idea that when there was a contested parochial election voting papers would be issued, and they deferred taking any action in the matter until they were signalized of the occurrence of the contest by the issue of those papers. Consequently, contests which went the length of the issue of voting papers were extremely rare. In his evidence before the Committee of 1878, Mr. Walker, of the Board of Supervision, mentioned that in one of the largest parishes of Scotland (St. Cuthbert's, Edinburgh) the contest had never gone the length of voting papers since the parish was made into a combination, and that in Aberdeen voting papers had never been issued at all. The City of Glasgow parish was one of the best contested in Scotland, and last year contests occurred in no fewer than three out of the five wards into which it was divided. In these wards there were 44,500 ratepayers, and out of that number only 1,400 recorded their votes. The election was decided by 3 per cent of those who ought to have been entitled to have voted, and that actually would have been so entitled in the adjoining parish of Govan. This was due to the non-payment of rates, and the preliminary mysteries to which he had just referred. No wonder that the ratepayers were considerably astonished when they learned, for the first time, that they had been disfranchised on an attempt to vote; and no wonder, perhaps, that even the Burghal Parochial Boards should infinitely prefer the snug state of things that presently existed, and regard with unfriendly feelings the humble proposal which he had the honour to bring under the notice of the House. Shoals of deputations had been appointed to come up to oppose it, and in one parish the committee had sent up a deputation in the name of the Board, without even submitting the matter to the Board. He had received a letter from the Secretary of the Bridgeton Temperance Electoral Association in Glasgow, informing him that a meeting had been held, at which a resolution had been passed condemning the speech of Mr. Gibb, one of the representatives of the Barony Board, as one-sided, and altogether opposed to the interests of the people and the district, and protesting against the waste of the ratepayers' money in sending the Law Committee to London to oppose the ratepayers' best interests. But, much as the Boards of the burghal parishes of Scotland needed reform, they were models of perfection as compared with the Boards of the rural parishes. Rural parishes were not at all synonymous with country parishes, for they included such places as Greenock, Paisley, Perth, part of Aberdeen, and, until lately, Dundee. In short, the rural parishes of Scotland did include, at the date of the Return in 1879, all the large towns in Scotland except Edinburgh and Glasgow. Leaving out the non-assessed parishes, and taking the 800 rural parishes that were assessed, the electorate consisted of the occupant ratepayers holding property worth above £20 a-year, and the heritors or proprietors worth less than £20 a-year; and they elected a certain number of members to represent them on the Parochial

Boards. The number was fixed by the Board of Supervision, and varied from 24, in the case of Greenock, to 1, which was the number allowed in many rural parishes. But, while the occupant ratepayers and smaller heritors were only allowed to elect representatives, every heritor or owner of property worth more than £20 a-year was allowed himself to sit on the Parochial Board. Thus, in Greenock, 24 elected members represented the interests of the ratepayers. Against that there were 1,104 heritors, who represented each man his own interest, and besides six members of the kirk sessions, who represented the Church's interest in those funds, which the Legislature intended should have been handed over to the Local Board, but which had so mysteriously disappeared. Greenock was not by any means a peculiar case. Its Board could boast of at least 2 per cent of elected members; but in many places that was considered too much by half, and the percentage was reduced to less than 1. Thus, in the case of Old Machar, Aberdeen, the Parochial Board consisted of 2,164 heritors and 20 elected members; and in South Leith there were 1,617 heritors against 15 elected members. He would not go into details, because he had taken care that some of the most striking figures should be placed in the hands of Members. He should content himself with saying that the average number of members of these assessed rural parishes was a fraction over 69, composed as follows:—62 heritors, 3½ elected members, 3¾ representatives of the kirk sessions; whilst the fraction was composed of magistrates, and numbered 190 persons in all. In other words, on the average, the Boards of these rural assessed parishes in Scotland were made up to the extent of 90 per cent of heritor members, and the remaining 10 per cent was divided between the elected members, the representatives of the kirk sessions, and the magistrates. When they remembered that the elected members of the Parochial Boards themselves, who numbered only 5 per cent of their composition, represented the smaller class of heritors and also the occupying ratepayers, who alone paid one-half of the rates, the absurdity of the present composition of these Boards was sufficiently demonstrated. But that absurdity was vastly enhanced when they considered the manner in which these elected members were chosen. There was no preliminary nomination; a meeting was held, the day and the hour fixed by the Parochial Board or the Inspector, and the occupant ratepayers, knowing that they were in a hopeless minority, took very little interest in the matter. On many occasions there was not a sufficient number of candidates nominated to fill up the vacancies, and if there was no excess of candidates those nominated were forthwith declared elected. If there was an excess of candidates, provided there were fewer than 100 electors present, a poll was taken in writing by the Inspector, and the candidates who had the largest number of votes were forthwith declared elected; and it was only in the almost hypothetical case of there being not only an excess of candidates over vacancies, and more than 100 electors present, that the contest ever proceeded to the length of issuing voting papers. To show that the word hypothetical was not too strong, he would quote the testimony of Mr. Walker, of the Board of Supervision, who told the Committee of 1878 that in Dundee, which, until recently, had one of these Parochial Boards, and which was the largest rural parish in Scotland, possessing over 85,000 inhabitants, with a Parochial Board numbering 1,844 members, of whom 30 were elected—no contest going the length of the issue of voting papers had taken place between 1872 and 1878. They did come to a contest once in Old Monkland, when party spirit ran rather high, and one or both parties hit on the ingenious device of following the postman who delivered the voting papers, seizing them, and filling them up to suit their own views. The Sheriff, however, did not enter into the joke, and disallowed the election in consequence. That was the only election in a rural parish which he (Dr. Cameron) could call to mind which had gone to the length of issuing voting papers. To show the practical working of the system he would quote some particulars of the last election at Largs, in Ayrshire, where the parish consisted of 4,000 inhabitants, rejoicing in a Parochial Board composed of 270 heritors, five elected members, and five representatives of the kirk sessions. The election took place on the 12th of February, there being five vacancies, and what occurred he would tell in the language of one of the gentlemen who was elected. He wrote—

> "There was only one candidate besides myself present, the others being there for the purpose of voting; and the consequence was that three out of the number were, much to their astonishment, proposed, and returned members of the Board."

This gentleman must have been somewhat of an enthusiast, otherwise he would not have taken so much trouble to get upon a Board where, even if he could carry all but the heritors with him, he must always have been in a minority of 10 to 270; but his artless enthusiasm was very soon checkmated. In that parish it was customary to appoint a Committee of Management, and a meeting was held on the 16th February, the five elected members being present, together with a gentleman who was not a member of the Board. The letter continued—

> "This gentleman rose, and from a paper which he held in his hand read a list of names, 18 in number, which he moved should form the Proprietors' Committee, and he afterwards moved that two of the elected members should form the Ratepayers' Committee, and he produced 24 mandates or proxies from his pocket. One member moved that Mr. Hughes should be added; but this the gentleman opposed, and, there being only six persons present, the amendment was negatived by a large majority of proxies."

Another correspondent, a magistrate of Largs, and Chairman of the School Board, confirmed this account, and had sent him some details. From these it appeared that another gentleman, a Mr. Patrick, writer, who proposed the Committee, was himself a mandatory, not even a member of the Board; and he was obliged to propose the Committee with one mandate, second it with another, and, by producing other 22 mandates, his motion had 24 votes. What added to the injustice of the proceeding was the fact that, according to his informant, these mandates had been granted to Mr. Patrick for quite other purposes many years before, and had already done him good service. The worthy magistrate went on to relate that Mr. Patrick had dismissed a salaried clerk of the Board and had installed himself in his place; and he stated that no notice was given of what was going to be done. Twelve members of the Board were present, of whom 11 voted against him; but Mr. Patrick produced his bundle of mandates and beat them. To complete the absurdity, Mr. Patrick was the law agent of the Board. So, in this case, they had a Committee proposed, seconded, and carried by an officer of the Board, whom the Committee was appointed to control. That, he thought, was a sufficient indication of the absurdity of the mandate system, and the utter unreality of the popular representation at present enjoyed by the occupants and ratepayers in the rural parishes of Scotland. He need only add that, although the Board of Supervision allowed one elected member to act on every Board, there was no elected member on 61 of these Committees of Management, where alone an elected member would have any chance of making his influence felt. The average composition of the Committees of Management in Scotland, as shown by the Return, was 60 per cent heritor members, 24 per cent elected members, 14 per cent representatives of the kirk sessions, and 2 per cent magistrates. Twenty-six of these Committees consisted entirely of heritor members. That was the case with Kelso, with 5,000 inhabitants; Burntisland, with 4,000 inhabitants; North Berwick, Cambuslang, and various other places. In four instances the Committee was composed entirely of representatives of kirk sessions; but they were unimportant parishes. Only in one instance did he find a Committee of Management consisting entirely of elected members. This was the case of Collace, in Perthshire, where, from some cause with which he was unacquainted, in a Parochial Board of six there were four elected members against only one heritor and one representative of the kirk session, and where the elected members, finding themselves for once in a majority, apparently thought themselves justified in following the usual custom, and bundling out the minority. Turning to the kirk sessions, he found that in 47 parishes, at the date of the Return, the kirk session element was entirely wanting; but in 38 others the kirk session element outnumbered the elected members and the heritors combined. The minister appointed the elders, who, with him, formed the kirk session. [Sir HERBERT MAXWELL: No, no!] Well, practically. ["No!"] He thought he might say practically. ["No!"] Well, it was a very minor point, and he adhered to the substantial correctness of what he had stated. The kirk sessions was allowed to send six representatives to all the Boards, while the proportion of elected members was fixed by the Board of Supervision. In one case referred to in the Evidence before the Committee of 1869, that of Cromdale and Inverallen, parties were pretty evenly balanced; and on the ratepayers succeeding in returning five elected members, whereas there were only three representatives of the kirk session, the minister appointed two other elders, and in this way outflanked the ratepayers. He came now to the case of unassessed parishes, and he should only require to deal briefly with them. In these parishes paupers continued to be supported out of the collections at the church doors, the fees for the publication of banns, and other dues, and the revenues of mortifications or bequests made on their behalf. In these parishes there were no elected members. At the time when the Poor Law (Scotland) Act was passed they constituted the vast majority of the Parochial Boards of Scotland; but from 650 in 1845 they had declined to 63 in 1882; and, judging from the state of things which the Royal Commission of 1844 found to exist in the parishes of Scotland, he thought the sooner the remnant was merged into the general system the better it would be for all parties. He thought he had said enough to prove the absurdity of the constitution of the Parochial Boards in rural parishes. In the assessed parishes the large holders paid less than one-half of the rates, and yet they possessed 18 times the representation of the ratepayers on the Parochial Boards. The ratepayers' representatives were in a hopeless minority; and, knowing that if they asserted themselves they were certain to be turned out at the next election of the committee, they took little interest in the proceedings. In 58 parishes the kirk session was supreme, and the minister, who paid no rates, had the chief say in the appointment of the members of the kirk session. It was said that the minister was a most valuable member of the Board; but, if so, there were 47 parishes in which he was not an *ex officio* member at all, and, not being a ratepayer, he was ineligible for election. Again, if it were said that landowners should be represented, he had to remind them that there were 30 parishes in which there was only one heritor, and twice that number where there were only two or three, and where the kirk session could at present outvote them. Everything depended on the caprice of the predominant section; and the only section that was never predominant was that of the elected members, who, in burghal parishes, formed the chief portion of the Board. It was said that, however anomalous the composition of the Boards was, the system in practice worked well. He altogether denied that it did work well. He would give his reasons. The 52nd section of the Poor Law Act of Scotland laid down the proposition that property vested in the hands of the kirk sessions and heritors, as trustees for the poor, should be handed over to the Parochial Boards constituted under that Act; but by a legal quibble that enactment was evaded, and the property in the hands of the kirk session had never been handed over. The value of this property was estimated at from £300,000 to £500,000. Did anyone imagine that if the kirk session had not had such a predominant influence an attempt would not have been made by litigation to get rid of that quibble, or, if it was impossible by litigation, to enforce by legislation what was evidently the intention of Parliament. Again, under Section 49 it was enacted that ministers should be rated for the relief of the poor on their stipend; but when assessments on means and substances were abolished as invidious and unpopular in favour of assessments based on the value of lands and heritages, a decision was given that under the Poor Law Act a minister could not be assessed for the relief of the poor in respect of their glebes and manses, and since 1852 they had not been assessed at all. Lord Fraser, who gave evidence before the Committee of 1869, pointed out that the enactment in the Poor Law Act on that point was direct, imperative, and absolute—or, in other words, Lord Fraser, one of the most eminent authorities on the subject in Scotland, laid down that ministers were, and still continued to be, liable for assessment for the relief of the poor on their stipends, and yet ministers were not assessed. Did anyone imagine that if the kirk session had not such an influence, owing to its representation on the Parochial Boards, steps would not have been taken in the public interest to test the validity of that opinion. Again, Lord Fraser told the Committee that the poor rate was in principle a personal tax, not a tax on property, but on income; and he went on to point out that when assessments on means and substances were abolished, they were abolished simply because they were too inquisitorial, and could not be fairly worked out, and the assessments on property were substituted for them without any change in the principle of the law. In order that the principle might remain unchanged the Board of Supervision drew up a scheme of classification, and Lord Fraser pointed out that in this order the principle was adhered to. As an authority on these points, Lord Fraser was admitted to have no peer in Scotland. But though the Board of Supervision might recommend classifications it could not enforce them. Now, when, as was very frequently the case, the residential feuars had the entire control of the Board, did anyone imagine that they would adopt any classification based upon the proper principle of Scotch law which would relieve, at their expense, farmers and shopkeepers? Was it not much more certain that they would oppose anything of the sort by every means in their power? For years past the Board of Supervision had brought this subject under the notice of the Parochial Boards; but it had been adopted by only 189. The same argument applied equally to deductions under the 37th section of the Act. He must ask this further question—Did anyone imagine that human nature in Scotland was so immaculate that on Boards thus irresponsible, managed in towns by cliques, and in country districts by agents with sheafs of old mandates, conducting their business by committees meeting in private, without any check in the shape of an effective audit of their accounts—did anyone imagine that, under such circumstances, an immense amount of jobbery did not occur? Were the interests of the poor and the interests of the ratepayers the only interests upon which these men fixed their eyes? The fact that 130 parishes in Scotland did not participate in the grant in aid of medical relief, simply because they did not choose to comply with the very meagre provisions which the Board of Supervision had laid down to insure that in the cases of the recipient something like proper medical relief should be afforded, seemed sufficient to demonstrate that in a large section of the Parochial Boards of Scotland the welfare of the poor was not the primary object kept in view. For these Boards, then, he proposed, in the present Bill, to substitute Boards elected after the manner of Town Councils. There was nothing very revolutionary in that proposal. For many years past these Town Councils had administered funds of greater amount than those administered by Parochial Boards; and in former years, in burghs, the poor rates were administered by precisely this class of men. But the fact was almost forgotten that previous to 1844, in parishes which contained burghs or parts of burghs, the management of the poor in the urban and in the landward district was distinct. The urban poor were maintained by rates managed by urban magistrates, who were popularly elected, and the poor of the landward district were managed separately. But in 1844 a decision was given, according to which these parishes must, for all purposes, be considered as one. In 1844, for the first time in burghs generally in Scotland, the management of the poor and the levying of the poor rates had been taken out of the hands of the magistrates, and there was instituted the present anomalous, unfair, and unsatisfactory state of things. The strong objection to the Bill was that it would abolish graduated voting. It was intended to abolish graduated voting, which was utterly absurd. As Lord Fraser had pointed out, poor rates were in principle a tax upon income and not upon property. If they took them in that light, how could they defend graduated voting as at present carried out? If they wanted to have any rational system of graduated voting they should let a man have votes in proportion to the rates he paid. But at present the ratepayer on a dwelling-house, the rent of which was £100, paid rates in full upon that £100, while the ratepayer on a shop worth £100 might be allowed a deduction of one-third upon the rates he paid, and a farmer on a similar rental was probably allowed a deduction of two-thirds or three-fourths. Nevertheless, the farmer, the shopkeeper, and the householder, who each paid different rates, had the same number of votes, according to the present graduated scale. It had been suggested that this Bill would affect the representation of property. The poor tax was not a tax upon property; but, assuming it was, the present graduated system would still be an absurdity, for it left the owner or occupier who was rated at £600 a-year with the same power as the owner who paid rates on £60,000 a-year. The ratepayer, in a property worth more than £500 a-year, had the maximum number of votes; and a Railway Company, which might pay rates on 50 times as much property, had only the same number. As he had said, in very many parishes the heritor members were at present in a hopeless minority; and he had no hesitation in saying that with properly constituted, popularly elected Boards, in parishes where there was only one proprietor, his influence in the constitution of the Board would be greater than at present. Various objections had been raised to his adoption of the municipal franchise. He had selected the municipal franchise because it was thoroughly well understood, and had worked satisfactorily in Scotland. It seemed to him to be a better and more reasonable franchise than the school board. Various objections on points of detail had been raised against it. It had been said that it would disfranchise proprietors who did not live within seven miles of the parish. But, he asked, did these proprietors vote at present? They happened to be excluded under the Municipal Franchise Acts; but he saw no reason why they and every ratepayer under these Acts should not have a single vote. This morning he received a "whip" from the Barony Parochial Board, which set forth some figures which Members might attach some importance to. It pointed out that his Bill would have the effect in the barony parish of disfranchising the representatives of nearly £1,000,000 of rental, and a table was added. He looked at this table, and, if anything were wanted to show the absurdity of the present system, it was to be found here. In another page of the "whip" they found it stated that the yearly assessment for relief of the poor in the parish was £59,000, and that the yearly rental of the parish was £1,500,000. If the class of ratepayers enumerated on the first table were compared with the second table, they would find that they should pay nearly £40,000 a-year of rates. Owning two-thirds of the property, they should pay two-thirds of the rates. But if they referred to the table they would see that they paid only one-third of the rates. It had also been said that a number of classes would also be disfranchised. Under the municipal franchise, representatives of companies had no votes, and representatives of partnerships had only votes in exceptional cases. That was the case with school board and municipal elections, and he did not see why it should be fatal to his proposal. He was entirely in favour of the franchise being as wide as possible, and of doing away with these disabilities. He did not see why they should not allow Corporations and Railway Companies to give a mandate to one person to go and give one vote on such elections. It was further urged against the Bill that it would allow persons not ratepayers to have seats on Parochial Boards. Had they nothing of that kind at present? He would remind them of the person at Largs who happened, by accident, to be a ratepayer, but who, without being a ratepayer might have acted as he did, and might have controlled the Board by the production of ten-year-old proxies. It was objected that the Bill proposed to deal with only one branch of Poor Law Reform. That was perfectly true. It dealt only with the constitution and election of Parochial Boards and their mode of conducting business; but this was a branch which must be dealt with first, and it proposed to deal with it thoroughly and intelligently. That was more than could be said of any of those tinkering compromises which had been previously introduced. He was quite aware there were many other branches of Poor Law Reform which urgently demanded alteration. There was the question of audit, of medical relief, of assessment, and a whole host of others. But to deal with these, and entrust the administration of a reformed Poor Law to the present Boards, would be like pouring new wine into old bottles; while any attempt to patch and cobble the existing Boards into harmony with modern ideas would be like mending old garments with new cloth. In the first place, they must reform their Boards, and after that reform the law which they were to administer. If he might venture to suggest, he should say that, whoever undertook the task of reforming their Poor Law, instead of introducing an omnibus Bill dealing in a fragmentary manner with a host of distinct subjects—a Bill which it would take half a Session to get through, and such as had always hitherto resulted in the waste of so many Government nights and Saturdays, and the accomplishment of nothing—he would have a much better chance of success if he took up one subject at a time, and dealt with it thoroughly. He had thought that the theory that popularly elected Boards conduced to extravagance was now-a-days exploded; but he found it was revived in regard to this Bill, and he also found the story revived of certain elected members of Parochial Boards being of such a low class that they placed their relatives upon the parish rather than maintain them at their own expense. Lord Fraser, in his evidence before the Committee, said—and he quoted him simply because he had a very large experience in connection with the Board of Supervision, and was not a person who indulged in vague statements, but was a man of exact ideas, who stated exactly what he meant—in his evidence, Lord Fraser read a long list of cases, which he considered illustrated various abuses of their Poor Law system. Among them he found one single case in which an elected member—a member elected under the present hole-and-corner system—had allowed his mother to come upon the parochial rates. As a set off to this, he found a minister of the Established Church, and, as such, probably the head of his kirk session, who had allowed his widowed sister and children to go upon the rates. He wished to call attention to another case, the conduct in which was, at least, as bad and reprehensible as any case which might be quoted against him. It was communicated to him by Mr. Macfie, who formerly represented the Leith Burghs in that House. That Gentleman was now resident at Colinton, and was a member of the Colinton Parochial Board. In that parish the City of Edinburgh parish had erected a poor-house, and to that poor-house it sent down female paupers who expected to become mothers. Well, recently a decision was given by the Scottish Courts by which it was decided that children born in that poor-house had their settlement in the parish of Colinton, so that if at any subsequent period they became paupers they might be chargeable upon the parish of Colinton. Legal opinion was largely divided as to the soundness of the decision, and another parish, the barony parish, was also affected by it. According to Mr. Macfie, the barony parish agreed to pay half the cost of an appeal. He brought forward a motion in the Colinton Parochial Board to the effect that a joint action should be taken for the purpose of re-opening the case on appeal. But the City of Edinburgh parish, as proprietor of the poor-house, was a heritor in Colinton; and as such it had, of course, a seat by proxy at the Colinton Parochial Board. Mr. Macfie's motion was evidently for the interest of the parish of Colinton; but, notwithstanding this, the City parish "whipped up, and, by the help of mandates, prevented an appeal." The other two cases he had mentioned were outmatched by this one, in which the gigantic Board of Edinburgh, like a great parochial cuckoo, saddled the maintenance of its orphan progeny upon a little parish like Colinton. It had been said that this was a subject with which Government alone should deal, and which no private Member should seek to touch. But it had been left to successive Governments for a score of years, and had not been advanced at all. In 1870 a Select Committee had inquired at great length, and had issued a Report. That Report had practically remained a dead letter. To him it seemed that, in the present state of Public Business, there were many important reforms urgently demanding consideration which would run the risk of being overlooked altogether unless private Members brought them forward. If this Bill met with the approval of Parliament, he was convinced that an important step would have been taken in the right direction. If, unfortunately, it did not, he should, at least, feel he had not altogether wasted the time of the House in endeavouring to call public attention to a state of things in connection with an important department of local administration in Scotland which he thought he had proved to stand at least as much in need of some thorough and sweeping reform as anything of a comparable nature that could be pointed to within the British Islands.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Dr. Cameron.*)

Sir HERBERT MAXWELL, in moving that the Bill be read a second time that day six months, said, that the address to which the House had just listened was remarkable, if not for its accuracy, at all events for the variety and gravity of the charges the hon. Member for Glasgow (Dr. Cameron) had brought against a system of administration which would compare favourably, in its record of sustained and praiseworthy effort, with any other administration in the Kingdom. It would be necessary for him first, before he entered into a defence of the system which the hon. Member for Glasgow objected to, to notice more than one point in which it seemed to him he had not a little transgressed the limit of ascertained fact. In the first place, in referring to the *ex officio* members of Parochial Boards in Scotland, he had spoken of the elders as appointed by the minister; whereas, as a matter of fact, they were elected by the congregation. ["No, no!"] He was in no danger of the statement being effectively contradicted. That was the constitution of the Scotch Church, of which he was a member. The second point in which it seemed to him he had strangely misrepresented facts was in his statement as to the mode of fixing the day of election. He had said that the election of the Parochial Boards was fixed by the Inspectors of the different parishes.

Dr. CAMERON: I said by the Board.

Sir HERBERT MAXWELL said, he accepted the hon. Member's correction; but, as a matter of fact, the date of a contested election was not fixed by the Board, but by the Board of Supervision.

Dr. CAMERON said, that, in Question 3542 of the Report of 1878, Mr. Walker said the Board of Supervision in fixing the date of election, invariably consulted the convenience of the parish.

Sir HERBERT MAXWELL said, it was practically this—that it was in the power of the ratepayers to cause a contest if there was any desire for it in the public mind, and the day of the contested election was fixed by the Board of Supervision. If there was any feeling on the part of the ratepayers against the existing elected members, or a desire that they should be otherwise represented, it was perfectly within their power to have an election. He thought a reference to the Report of the Board of Supervision for 1882 would show that in two, if not three, instances the date of an election of a Parochial Body was settled during 1882 by the Board of Supervision. He (Sir Herbert Maxwell) thought that the absence of interest on the part of the electors was not to be accounted for by any uncertainty as to the date of the election or dissatisfaction with the mode of fixing it, but to a generally satisfied feeling that parochial affairs were carried on in a satisfactory and efficient manner. There was another point in regard to which the hon. Member for Glasgow seemed to have overlooked the existing state of things. Perhaps he was ignorant of the present mode of election to the Glasgow Board. There was now, he (Sir Herbert Maxwell) was informed, a public poll between the hours of 10 a.m. and 7 p.m.

Dr. CAMERON observed, that that was so when 10 electors demanded a poll.

Sir HERBERT MAXWELL said, he was informed, on undoubted authority, that that was the present state of the law, and the hon. Member's objection that workmen and tradesmen could not attend to vote seemed, therefore, to be unfounded; but he proposed to found his objection to the Bill on the revolution it would effect in every parish in Scotland, and, further, on the satisfactory nature of the work which had been done by the Parochial Boards. It was a vast and sweeping change that the hon. Member for Glasgow proposed. Had he made out a case for a change in the law, or if the state of the poor, or other matters which the Parochial Boards had to administer, justified it, he (Sir Herbert Maxwell) should be the last to complain that the hon. Member for Glasgow, as a private Member, had brought in this Bill, for he considered it to be the duty of private Members to bring matters requiring reform before the Government and the House; but he must say that he considered it was incumbent upon Her Majesty's Government to offer to the proposals of the hon. Member a distinct and emphatic negative, and he trusted that, before the debate closed, the House would hear some statement to that effect. He based his opposition to the Bill mainly on the ground that the present system had worked harmoniously, effectively, and economically, though he did not deny that improvement might be necessary. The hon. Member for Glasgow said his Bill would put representation on a wider basis; but it seemed to be, in reality, a vast measure of disfranchisement. It would be seen, from the statement which had been circulated amongst Scottish Members, that the total valuation of burghal parishes was £1,500,000 in round numbers. If the proposals of the hon. Member became law, the following properties in one parish alone — the barony parish of Glasgow—would be absolutely without representation:—Properties belonging to trustees, &c., to the amount of £191,600, now annually assessed to the amount of £5,000; properties belonging to persons resident more than seven miles beyond the parish, who had a place of business in the parish, to the amount of £71,480, and assessed to the extent of £1,861; and, lastly, properties belonging to Companies—Railway, Insurance, &c.—to the amount of £500,000, rated now at the annual amount of £110,000. The total that would be disfranchised in this parish alone, out of a gross valuation of £1,500,000, would be £918,005—very nearly £1,000,000 sterling. That, certainly, did not seem like extending the basis of representation. The hon. Member said that property was not the basis of representation; but was the House to understand that these Companies, Trustees, and others, were to be left without representation simply because they did not come within the provisions of the Municipal Election Act? But the aspect in which he (Sir Herbert Maxwell) viewed this Bill with the gravest apprehension was as it would affect the rural parishes of Scotland, which, of course, were much more numerous than the burghal parishes, and he spoke from several years' experience of the active administration of the Poor Law in rural parishes. It was provided by the Bill that parishes of a population of 5,000 and under should have no more than six members on the Parochial Board. Now, by far the greater number of parishes in Scotland had a much smaller population than 5,000. In his own county there was only one parish which exceeded 5,000 in population. The effect would be that nearly every rural Parochial Board in Scotland would consist of six members, and no more. What would be the result? There were many parishes in Scotland which greatly exceeded in area the whole of London; and, however easy it might be to get from South Kensington to Fleet Street, or from Regent's Park to Southwark, the means of communication in the rural districts of Scotland were very deficient. Bad roads and long distances combined would result in this—that farmers and others wishing to attend meetings of Parochial Boards would frequently have to sacrifice nearly an entire working day. The difficulty of obtaining a quorum would, in consequence, be enormously enhanced. It was difficult enough now to obtain a quorum at meetings of the Parochial Boards; but it would be infinitely more difficult, if not impossible, under this Bill. The hon. Member instanced school boards; but had he had any acquaintance with the working of the Education Act in rural parishes? If so, he must surely be aware that grave difficulties presented themselves in securing the attendance of members. In a school board of which he (Sir Herbert Maxwell) was the Chairman until the last election, he had to intimate to one member that in consequence of his non-attendance for more than a year his place must be filled up, and he was accordingly removed from the board. With experiences of that sort of the difficulty of obtaining attendances at numerically small boards, he deprecated most strongly the proposal to reduce Parochial Boards to the extent provided for in the Bill. There was another point which seemed to have escaped the notice of the hon. Member. If there was a tolerably numerous attendance at a Parochial Board the local knowledge possessed by some of the members was of the greatest possible value in considering the relative merits and circumstances of the cases of paupers which had to be decided upon. In some cases members were able to supply, from personal acquaintance with particular cases, information which it was impossible to obtain even from the Inspector himself. There was a statement in the Circular which had been handed to Scotch Members, and from which the hon. Member for Glasgow had quoted, which surely the hon. Member did not mean to inform the House described a case that was of ordinary, or even probable, occurrence — namely, that one member on a Board, or the delegate of a member, arriving with a pocketful of proxies, might do, or often did, exactly as he chose in the name of the Board.

Dr. CAMERON: I meant that to be a general statement; and I made the statement on the faith of evidence on the point given before the Committee of 1869.

Sir HERBERT MAXWELL said, that if the hon. Gentleman meant to tell the House that that was his idea of the sort of thing that went on in Parochial Boards, all he could say was that in his own experience, which extended over 16 or 18 years, such a case as that never came before him. Those who took the strongest interest in the administration of the Poor Law in Scotland would be found amongst the strongest objectors to the proposed change. Burghal parishes were already elective; therefore he should confine himself to the case of rural parishes, and he thought he might claim that their objections were entirely unselfish. The duties which fell upon members of Parochial Boards were irksome and thankless, and none called for the exercise of the judicial faculties and discrimination of country gentlemen so much as the administration of the Poor Law. They could not, therefore, be suspected of wishing to retain those duties from a selfish point of view; but they were convinced that it would not be for the good of the country districts if those who enjoyed the privileges and incurred the responsibilities of property were deprived, as they would be to a great extent by this measure, of the interest which they were at present inclined to take in the welfare of the people around them. The first objection they had to the Bill was as to the undue multiplication of elections in rural and in municipal districts also. In rural and in municipal districts there were surely enough elections already. They had already Parliamentary elections and school board elections recurring; and since the abolition of patronage they had in every parish, recurring at uncertain intervals, elections of the ministers of the parishes. The social results of these elections were not such as to make them wish to increase their number. Not only did this Bill provide that the election should be triennial; but the case was aggravated by a provision in a sub-section to Clause 8, that one-third of the members who polled the lowest number of votes should continue to be members of the Board only for one year; the third of the members who polled the next lowest numbers should continue members for two years only. Of all the proposals ever made for keeping a parish in a constant state of irritation and ferment none had exceeded this. He (Sir Herbert Maxwell) held in his hand a letter from a gentleman who was chamberlain to a large landed proprietor and the Chairman of several Parochial Boards in the South of Scotland, which stated what had been his own experience so plainly that he was tempted to read a few sentences from it. This gentleman said—

> "In all the parishes with which I am connected the election has become very much a farce. The ratepayers take no interest in it, and the general result is that the Inspector has to call a meeting of ratepayers for the election."

Did that show any grounds for dissatisfaction with the existing system? The letter went on to say that—

> "The present Boards do their duty very well. The leading proprietors take great interest in the administration of the Poor Law. They give careful attention to finance, and, while exercising every reasonable economy, they are actuated by a desire to make the poor people as comfortable as the circumstances of each will permit. Any alteration such as the present Bill proposes will be no improvement, but simply lead to a great increase of expenditure."

Well, they might put up with the inconveniences of the election if they were assured of the advantages they were told would follow. He could not believe, however, that these advantages would follow. He feared that, if the principle of election were adopted, it would be found that persons of position, of education, and of self-respect would not offer themselves triennially, or at any interval of time, at these two-penny-halfpenny elections. Perhaps the hon. Member would not object to that, because these persons "toil not, neither do they spin;" but, at all events, while they had kept up a respectable position in the country, and had endeavoured to discharge their duties faithfully, it could not be expected that they would submit themselves to rejection by a class of voters many of whom were themselves on the verge of pauperism. The people who would be elected under this Bill would be the village politician, the gossip, the busybody, the man with a religious crotchet or a social fad—in short, the people who would get elected would be not the persons who were best qualified to discharge the duties, but the people who canvassed hardest. Then, on what grounds was the election to be decided? The hon. Member had quoted one case of an election at Glasgow in which the Temperance Association was concerned; but temperance was not a question on which elections by administrative bodies in the country should be decided. Would not the religious element be brought in? Those who knew Scotland best recognized most clearly and lamented most the bitterness and acrimony which was inseparable from religious differences, which was imported into every election, school board or Parliamentary, and which would, undoubtedly, form an important motive in the decision of these new elections. There was an important matter which the hon. Member entirely omitted from his description of Parochial Boards, and that was that these Boards were now entrusted with much wider functions than when they were first constituted. The Public Health Act now fell under their administration, and it formed a very important part of the duty they had to perform. In that matter, as in the other of poor relief, he feared that the change proposed would imperil the interests of the ratepayers. It was proposed to place those interests in the hands of the very lowest of those who had votes. The owners of property and those who were most largely taxed would be absolutely swamped by the proposed new electorate. Then the work of the administration of the Poor Law and of the Public Health Act had to be learned. They had at present a trained body of administrators, which had led to a continuity of policy; but there would be an end to the continuity of that administrative policy which the training, the practical experience, and judicial discrimination of those who now administered the law had established. The parochial work of Scotland had been carried on with certain ends in view under the advice, control, and direction of the Board of Supervision. The principal end in view had been the substitution of indoor for outdoor relief. In 1859 the number of paupers of all classes who were in receipt of relief on the 14th of May was 122,000; in 1868 it had risen to 136,000; but since that time, when the Parochial Boards first became aware of the necessity of controlling outdoor relief, it had steadily declined, until, last year, it was only 99,340. In short, allowing for the increase in population, in 1868 pauperism was 4·1 per cent of the population, whereas it now formed only 2·1 per cent. Then, while outdoor relief had declined in that ratio, as to indoor relief it showed only a slight increase from 7,250 in 1864, and 8,794 in 1868, to 8,964 in 1882, an increase by no means in the same ratio as the increase of population. The policy which had been so successfully pursued by the Parochial Boards would be utterly smashed and knocked on the head under this new system. How could they expect that those who would be elected to Parochial Boards under this system would have any practice or knowledge of that which the present administrators had learned with so much difficulty? The question which it involved would be re-opened at every election, a question which ought to be considered as finally closed. He would quote a case out of hundreds which he could cite if necessary. There was an immense pauper rate in one of the Glasgow parishes, and it was found that numerous persons were receiving relief who were no more entitled to it than Members of that House. On the Inspector being questioned, he said that his repeated protests were overruled by the votes of small traders, the elected members on the Board.

Dr. CAMERON: Were they elected under my Bill, or under the present system?

Sir HERBERT MAXWELL said, they were of the class in whose interest the hon. Member had spoken in such a feeling way, and for whose sake he understood the hon. Gentleman had brought forward his Bill. In another gross case a family of three generations of women of ill fame, living under one roof, were only removed from the outdoor relief list by the intervention of the Board of Supervision, after the Chairman's proposals had been repeatedly overruled by the elected members. These questions would be continually recurring if the *personnel* of the Boards were changed by the adoption of the elective system. Now, he wished to ask, upon whom had the great strain of the administration of the present law fallen? It had fallen upon the Inspector. There was no class of officials in the country who were more deserving of the thanks of the community than the Inspectors of Poor. Their duties were most arduous and frequently distasteful, and they were often open to the petty spite of their neighbours. They were frequently accused of favouritism in the representations they made to the Board, and he had not the slightest doubt that many elections in rural parishes, under this Bill, would be conducted solely for or against the interests of certain officials of the Board. If it were for this reason alone, that they should uphold the Inspectors of the Poor in Scotland in the discharge of their most difficult and arduous functions, he would urge the House to reject the proposal of the hon. Member for Glasgow. At present the Inspectors were supported by the confidence that was reposed in them by the Boards. Another objection entertained by those in whose interest he was speaking had been altogether overlooked—namely, the question of expense. They knew to their cost that the administration of the Poor Law in Scotland was expensive enough at present in many districts; and it was now proposed to add to the existing expense that of preparing for elections, and the machinery of ballot officers, returning officers, &c. He had listened with interest to what the hon. Member for Glasgow had stated in favour of his Bill. He had, he supposed, said all he could in favour of it; but he had listened in vain for any real purpose of helping, or any real proposal to assist in the administration of the law, or for any benefit that would be likely to accrue to the distressed districts in Scotland. He could tell the House that unless they had from the Government an emphatic and clear repudiation of any sympathy with the Bill, they would create in every parish in Scotland a feeling of distrust and dissatisfaction which it would be very difficult indeed to overcome. The people of Scotland were satisfied with the present administration of the law. [*Cries of* "No, no!"] Without fear of contradiction, he would assert that there was no evidence to the contrary. Where were the Petitions which ought to be piled on the Table in support of the Bill? He had not seen a single Petition. The hon. Member might, perhaps, have presented one or two; but he had not seen a notice of them. At all events, there was an absolute absence of evidence of popular feeling on the subject. For himself, he was not very much surprised, considering the quarter of the House from which it came, that the Bill was based on grounds altogether visionary. It promised results which were illusory, and had been supported by statements which were, at least, highly coloured. He looked upon it as a thinly veiled attack on the class of persons which, above all others at present, excited the opposition and envy of hon. Members below the Gangway. It was proposed in the Bill to deprive the propertied classes of Scotland—and the charge of the poor was a charge upon property—of the powers which they had hitherto exerted for the good of all classes in Scotland. He believed that the law had been properly and effectively administered; and he therefore trusted they would hear from some responsible Minister of the Crown that the Bill would not be allowed to proceed further.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir Herbert Maxwell.*)

Question proposed, "That the word 'now' stand part of the Question."

Sir **EDWARD COLEBROOKE** said, that the hon. Member for Glasgow (Dr. Cameron) had brought forward a subject well worthy the attention of the House, and with many of the statements that had been made he entirely agreed. The question had now been for many years before the public, and the defects of the system of the constitution of the Boards of Management in Scotland had been fully acknowledged. The hon. Member for Glasgow would deserve the gratitude of his constituency and of Scotland if he roused the Government to exertions, to introduce some salutary reform. He thought, however, the statement of the hon. Gentleman was, on the whole, a little exaggerated, and gave those who were not acquainted with the administration of the Scotch Poor Law a very false idea of the system. He was sure that if there was one-tenth of the grievances stated there would not have been the indolence indicated by Scotch Members on the present occasion. Nor would 13 years have elapsed, since the Report of the Committee referred to, without some effort on the part of the Scotch Members being made to influence the Government to introduce some reform. The hon. Member in his Bill proposed to deal with only one corner of the question, and if the Government wished to do so he could not quarrel with him on that account. That might be dealt with apart from any other matter; but, at the same time, other questions of a wide character were connected, and would have to be dealt with before any satisfactory reform could be inaugurated. The main point to be considered was, what were the evils with which they had to deal? Were the Parochial Boards "nests of jobbery," as they had been described, or were they, on the whole, Boards which deserved the gratitude of the community for the manner in which they had done their duty? He thought, on the whole, the truth lay something between the two, but largely preponderated in favour of the Boards. He could with confidence say that if they looked back to the history of the administration of the Poor Law of Scotland during the last 38 years, since the Poor Law Act was passed, the system had worked smoothly, expeditiously, and honestly. It had, on the whole, been a very efficient one, and was very desirable in many respects. The hon. Member who moved the second reading adverted to the Report of the Committee; but he thought he might have studied it a little more sedulously than he did. There was an admission in the Report that there had been a great laxity in the administration of the law, and that something must be done. The laxity was not in the law, but in the administration. If they were to trust to an elected Board only, they would have a system which would compel a much larger interference on the part of the Central Authority, similar to that which existed in England, and it would not be long before they would look for some other checks for the purpose of carrying on effective administration. He wished to correct what his hon. Friend had said with regard to the rate being raised from income.

DR. CAMERON: I said that Lord Fraser laid down the principle.

SIR EDWARD COLEBROOKE admitted that Lord Fraser was a great authority, and assumed that the hon. Member adopted Lord Fraser's view. He contended there was a higher authority, and that was the Act itself, which, in Section 35, laid down the principle that half the assessment might be upon the proprietors, and half upon the tenants or occupants, or the occupants might be assessed on a graduated scale; but that principle had only been carried out to a limited extent in some 159 parishes altogether. That was not the fault of the Board, but in the nature of the case. In the Committee on which he had the honour to sit this question was fully discussed. They came to the conclusion that the mode of assessment on the occupant ought to be carried out by Parliament. The broad fact remained that one-half of the assessment rested upon the proprietor; and he thought that not merely would there be a great injustice if the proprietor were by this Bill altogether excluded from the administration, but also a great evil would arise in the administration of the law, if both interests represented in the taxation were not equally represented in the administration. Those were the lines upon which he thought it was desirable that legislation should be based; but the proposal of his hon. Friend was so wild that it could not be entertained for a moment by Parliament. The only advantage derived from it would be that it might elicit from the Government something more than a hope that something might be done to carry out reforms on this question, and some assurance from Scottish Members that they would do something to support the Government in carrying out these reforms. In saying this he did not wish to utter one word in disparagement of the elected members of the Boards. He held that the elected members of the Boards in all parts of the Kingdom were the most valuable elements in the administration of the Poor Law. He had taken part in its administration in Scotland and in England. He had been an *ex officio* member of the Parochial Boards in Scotland, and Boards of Guardians in England, and he found that the real work devolved on the elected members. He would gladly strengthen that body, and bring the proportions of the two classes more nearly to an equality than they were at present, when so many of the other class were able to come and swamp the elected members. That reform might be carried out without injuring the proprietary element, which might still continue to be adequately represented; and if the Government saw their way to move in the direction of these lines, there would be a fair chance of having a Bill passed. But, as to the Bill before the House, it contained an entirely new principle. There was, no doubt, a very languid interest in the country in the administration of the Poor Law, and that was rather a testimony to the soundness of the existing system. The rates were not high, and the work was carried on largely by a useful body of men, of whom the hon. Baronet had spoken, who moved the rejection of the Bill—namely, the Inspectors. A great deal of the efficiency of a Board depended upon them. By strengthening that principle a more effective system of administration of the Poor Law in Scotland would be arrived at. If the hon. Member pressed his Bill to a division he (Sir Edward Colebrooke) would be compelled to vote against it. He hoped, however, that the hon. Member might be content with having tabled the Bill, and would leave to the more effective hands of the Government, supported by the House of Commons, to carry through the reforms which, he admitted with most Members, were very urgently required in the administration of the Poor Law in Scotland.

Mr. ORR EWING said, he was somewhat at a loss to understand what could have induced the hon. Member for Glasgow to introduce this Bill, which was more revolutionary than any that had before been brought in, or suggested. He could not say that, after listening to the hon. Member's speech, he was in any way more enlightened upon what his real intentions were. He was, however, rather surprised at some of the hon. Member's statements, which seemed to him misleading, while others the hon. Member himself, if he had given a little thought to them, would have known were incorrect. In fact, to anyone familiar with the working of the Poor Law in country districts, his whole speech seemed to be a caricature of the working of the Parochial Boards, which had been so usefully and so economically managed as to be examples for almost every Board of Management whether in Scotland or England. For instance, the hon. Gentleman said the ratepayers had to pay a much larger proportion of the money for the support of the poor than the owners. If he had reflected for a moment what the law was, he would have remembered that the owners of property paid one-half of the total amount required, and again, as ratepayers, if they occupied the property they owned. How, therefore, could the ratepayers pay more than the owners?

Dr. CAMERON said the hon. Member had misapprehended what he said, which was that the smaller heritors and ratepayers combined, paid in proportion a much larger sum than the owners.

Mr. ORR EWING said, it was just that statement that was so misleading, because it took away a portion of the owners who had a right to sit on the Boards by reason of their valuation. Then the hon. Gentleman said, when a meeting was called for electing the representatives of the ratepayers, it was badly attended, because the ratepayers felt they were overborne by the proprietors. What was the fact? Why, that no person with a rental above £20 could attend the meeting at all. So the fear and dread of the ratepayers being overborne by the owners was a matter that existed only in the hon. Member's imagination. He also represented the hardship of there being some parishes, amounting to about 100, where there was no assessment at all. The complaint was that there were no ratepayers. But why was that? Simply because a voluntary assessment was made on the land, and the heritors managed the administration of the Poor Law themselves, without charging the public anything at all. In the parish of Killearn, in which he resided and owned some property, the owners of land paid the whole of the assessment, and managed it with the able assistance of the parish minister and kirk session. No person who was merely the occupier or owner of a house in the parish paid a farthing to the poor fund. But by this Bill all that generous way of dealing with the ratepaying class in those parishes was swept away; and in all those parishes the poor would have to be supported by rates. He (Mr. Orr Ewing) questioned whether anyone, at least in those parishes, would give any countenance to the hon. Gentleman's proposal. The hon. Gentleman also made a remarkable statement when he said the assessment for the poor in Scotland was a personal tax and not a rate. He (Mr. Orr Ewing) could not understand by what ingenuity the hon. Gentleman could twist the language of the Act of Parliament into such a contention. The assessment was made on the rental and occupation of property, though, no doubt, abatements were made for one kind of property over another—and very justly—such as public works, farms, and shops, in order not to assess a man too heavily who was following an industry. These were all the remarks he had to make in reference to the speech of the hon. Member. He had an idea that perhaps the reason which had induced the hon. Member to introduce this Bill was that, having been somewhat successful in passing some small and useful measures for Scotland, and having no other question before him this Session, he wanted this to keep his hand in. He must give both the senior Member for Glasgow (Mr. Anderson) and the Mover of this Bill great credit for these measures. But, after the fate of his Bill last Session to abolish civil imprisonment in cases of affiliation, he would have thought that the hon. Member would have been deterred from further attempts at legislation.

DR. CAMERON asked whether the hon. Member was in Order? He was now referring to a measure that passed last year, and had nothing to do with this Bill.

MR. ORR EWING, continuing, said, he was only giving an illustration of the manner in which the hon. Member dealt with important questions; and he doubted whether questions of that kind should be sent upstairs, when it was necessary to entirely change the Bill so that even the hon. Member could hardly have known it himself. The hon. Member was more ambitious now; but he thought the hon. Member had not treated the Lord Advocate very well by introducing this Bill, which dealt with only the fringe of a great question, which must be dealt with as a whole by the Government; and why the Government should have permitted this attempt at piecemeal legislation he could not understand. This was not a new question. It had been before Parliament for 14 years, and had been dealt with both by the Government of 1868 and the Government of 1880. In 1869 a Committee was appointed, and sat during three years. The then hon. Member for the Ayr Burghs (Mr. Craufurd) was Chairman, and on the Committee was the then Lord Advocate, now Lord Young; and the Report of that Committee was the very reverse of the provisions of this Bill affecting the constitution of Parochial Boards. The Committee reported, in 1871, that the proposed constitution of Parochial Boards was not such as to secure any effective check against the increased expenditure. With reference to the qualifications for a seat at the Board, the Report spoke of the impropriety of allowing persons to sit at the Board of such a class that they might be related to paupers, and might prefer to cast their relatives on the ratepayers rather than maintain them themselves. The present Bill entirely threw overboard the principle the Committee recommended — that the qualifications of owners sitting at Parochial Boards should be raised; that occupiers should be qualified to sit at such Boards without election on receiving qualification as proprietors; that all ratepayers who were not members of the Parochial Board should elect representatives, the number to be fixed by the Board of Supervision; and that no one should be elected who did not pay poor rates. The hon. Member would, however, admit everyone to election whether he paid rates or not. The Committee also recommended many other things relating to the constitution of Parochial Boards in rural parishes, and in parishes partly urban and partly rural, relating to the audit of the accounts, poor-houses, the relief of the poor, medical relief, the boarding out of children, and settlement. These were the most important recommendations; but the hon. Member put them all aside, and sought to deprive large owners of property of the power of sitting on Parochial Boards, and to place the power in the hands of the smallest ratepayers —a class, perhaps, bordering on that of the pauper. The effect of that would be to entirely revolutionize the system of management of the poor; and, in fact, in every rural parish where there was a village, the farmers and owners would be outvoted by the inhabitants of the village, who were, perhaps, closely connected with the paupers. Besides the inquiry of the Select Committee, which took a vast amount of evidence from all parts of Scotland, the late Lord Advocate (now Lord M'Laren) introduced a Bill, on the back of which also appeared the name of the present Lord Advocate, who was then Solicitor General for Scotland. That Bill was sent to a Select Committee, who amended it; but the measure was allowed to be dropped in consequence of the Lord Advocate's resignation; but Section 4 proposed that the Parochial Boards in burghal parishes and combinations should consist of owners—members being owners of heritages within the parishes or combinations of the annual value of not less than £300, according to the valuation. That £300 was, in the original Bill, £500; but he had proposed to reduce it to £300, and carried his Amendment by a majority of 11 to 2 of the Committee on the Bill. In the parishes with which he had anything to do, the Committee of Management appointed for the conduct of the whole business of the year was generally nearly half-and-half ratepayers and owners. He had to ask what had happened since this question was first introduced by Lord Advocate M'Laren that such a Bill as this should be brought into the House at all? How was it that the Lord Advocate had not at once told the hon. Member for Glasgow that it would meet with the most strenuous opposition of the Government? He must be ignorant of the feeling of Scotland if he thought the Bill was popular in that country. All the Petitions that had been presented and all the deputations that were in town seemed to be against the Bill. He had presented several Petitions himself; and only to-day he had received a telegram from the Chairman of the Dumbarton Parochial Board saying that there was no time to prepare Petitions, but that they were against it. Why was it that this Bill should be supported as it was by the Lord Advocate, when it was unlike the Bill which had the hon. and learned Gentleman's name on its back in 1881? Had the people of Scotland been calling out for such a radical change? Had there been a single Petition indicating that they were discontented with the present management of parochial affairs? Was there any single thing indicative of the desire of the people of Scotland for this revolutionary measure? Not one. But there had been since then a great change in the position of the Lord Advocate of Scotland. That change had been very great, and they were now suffering from the effects of a dual Government. The Lord Advocate no longer held the high independent position of his Predecessors. Had an independent Member ventured to introduce such a Bill when Colonsay, Inglis, Moncreiff, or Young was Lord Advocate, he would have been told at once that he would have the Government's hearty opposition, and they would not have wasted this Wednesday in discussing a Bill that was so obnoxious to everyone interested in the parochial affairs of Scotland. This Bill dealt with only a fragment of the questions on which the Lord Advocate must intend to legislate very soon. But the Lord Advocate of to-day was enervated by this divided authority. He felt his action cramped and crippled. He felt a man at his back—an irresponsible Minister of high position, of great talent, who looked upon every question connected with Scotland through political spectacles, so that he was no longer able to act in the independent manner that his Predecessors had done. Lord M'Laren resigned the high Office which he held as Lord Advocate rather than submit himself to this humiliating position. It was not the interest of Scotland that this dual authority should exist. The ancient and high position of the Lord Advocate should either be restored, or a responsible Minister be re-appointed to conduct Scotch Business, and that Minister must be a Member of the House of Commons.

Mr. WEBSTER said, he rose to give not merely his own opinion, but what he thought was the opinion of the part of Scotland with which he was connected. He wished, as far as possible, to refrain from any argument. He felt that argument was uncalled for and unnecessary. No doubt it was difficult for any man to purge from himself all feeling of partizanship; but, doing so as far as possible, he said the feeling in his part of the country was that the present system of election of Parochial Boards and the constitution of those Boards was bad and altogether indefensible; that the preponderance given to large owners made any representation of ordinary ratepayers impossible; and that it was the consciousness of the latter that they were completely swamped that produced the apparent indifference to which reference had been made. But when a system was so completely bad and untenable it was not safe to trust to any appearance of apathy; and he believed it would be a very easy thing to get up an agitation that would satisfy the House what was the conviction of those entitled to judge of the actual merits of the case. He thought it was better that they should proceed to look at this question while they could still do so calmly. His own opinion was that no system which brought about the results that had been described could by any possibility be sound. It was more like a farce. From his own experience he could assure the House that, in the large burghs and parishes, there was not the least apprehension that popular election would deteriorate Boards; on the contrary, he knew from the testimony of those who held office in the Parochial Board of Aberdeen, and from his own personal experience as a former member of that Board, that nothing could be more satisfactory than the working of such bodies in the large parishes. The elected members of the Parochial Board of Aberdeen were so elected by the Town Council, and there were no more wise or economical administrators of the funds of the parish than those gentlemen, who held no qualification whatever. He knew from experience that nothing could be more satisfactory than the position of a Parochial Board in a large city parish popularly elected; and he could testify that gentlemen of position, so far from shrinking from holding office in such circumstances, had occupied, and still occupied, positions on Parochial Boards. In regard to the representation of kirk sessions, he thought the recent powerful statement of the hon. Member for Glasgow, and the fact that it was made amidst the silence of Members opposite, must lead them to conclude that no argument could be adduced in favour of the present arrangement. While condemning the present system, he was bound to admit that the common sentiment on this question was that it was one which it would be well for the Government to take charge of. He should be prepared to vote for the second reading, in order to show his sense that a change was absolutely indispensable, and that it would be well to have the system placed on a proper basis quickly. On the other hand, there were some of the details in regard to which he was by no means sure. He was not prepared to admit that the entire system which prevailed in connection with municipal elections ought to be slavishly followed in the case of elections to such peculiar Boards as those which administered the Poor Laws. The present Parochial Boards had besides a dangerous power of making distinctions between different classes of ratepayers, and of fixing accordingly different scales of rates on the tenants or owners in each class. There was another important question which he thought ought to receive attention, and that was that Corporations and Trustees ought to have some representation in the election of Poor Law members for the borough, or city, or parish. He hoped the Government would assent to the second reading of the Bill, with the view probably of then undertaking the charge of a measure of a more general kind.

MR. COCHRAN-PATRICK said, he thought the Bill before the House deserved consideration from two very different points of view. These were the theoretical and practical points of view. In the theoretical aspect it might be considered as a demonstration in favour of the principle of representation in the administration of local affairs. In the practical aspect it involved very large and considerable changes in the present system, and must be judged by its effect on existing circumstances—whether its tendency would be to promote greater efficiency or greater economy, and, if so, to be ranked as a real reform, or whether it would be simply a disturbing influence, without the compensating advantages that rendered a real improvement both necessary and desirable. With regard to its theoretical aspect, no Member could be more in favour than he was of every development of local government. Local government had not only inherent merits; but, at the present day, it was of the greatest importance that the largest possible body of people should be trained to feel interested in public matters, in order that when important questions came before them they might be able to look at them in a sensible and practical way. He went further, and said that, under the circumstances in which they were, considering the growth of population with which they had to deal, the method of representation was the only practical way by which popular interest could be manifested in public affairs. It was the only sound, sensible, and statesmanlike method. But that made it of all the more importance that they should have a clear perception of what representation was and what it aimed at, because if they had only vague and indistinct ideas of representation, centred chiefly in the word and not in the thing, an article of sound political faith might become a mere matter of political superstition. After all, they must remember that representation was only the shadow of a substance, the reflex of a reality. At its best it was but an imperfect and indirect way of attaining that direct and personal intervention in common affairs which was the right and the duty of every member of a community. The question they had to consider was, whether the proposed scheme of representation was really more representative than the scheme at present in operation; and they were called on to decide between two systems, both of which were representative, and determine which was the best. If the system laid before the House was really and truly a perfectly representative institution, it should represent all the interests concerned. If, on the other hand, it failed to represent any of these interests, or if it inadequately represented them, then, in so much as it failed, it was open to the objection of want of perfection. To apply these observations to the particular case before the House, he might remind them that they were not here dealing with the case of representation as regarded Parochial Boards for the first time. They had already a principle of representation which had been in operation for a considerable period—long enough to give experience of it. They were presented now with another system of representation; and the practical question was, not whether they were to recommend representation abstractly, but whether the system of representation in the Bill would be better in its practical results than the system at present in use. He need not enter into details as to the present system, as all Scotch Members were acquainted with it. But he would say this—that one test of its efficiency or non-efficiency was to be found in the feeling which was entertained by the public as to its practical results. The hon. Member for Aberdeen (Mr. Webster) said that in his district there was a strong feeling of dissatisfaction. Well, they had not had an opportunity of knowing that from any other source. But Scotch Members knew very well that if any measure affected the people of Scotland, either for good or for evil, they would not remain silent. If there had been any strong feeling against the present system the bag at the Table would have been full of Petitions in favour of the Bill. But any feeling that had been manifested by Petition seemed to be adverse to the proposal of his hon. Friend rather than otherwise. In a matter of this kind the people generally were anxious that all the modifications and alterations which the experience of nearly 40 years showed to be necessary should be introduced into the Poor Law administration. They would be glad to look on any proposal which would have this effect in a most favourable spirit; but he ventured to hope that the Government would not consent to the second reading of this Bill, because, by so doing, they would assent to the principle of the measure, and it was not a principle of representation as opposed to any other principle, but of a particular system of representation, the practical effect of which was still in the dark. Many of the provisions of the Bill were practically unworkable, and many interests would be left absolutely unrepresented. He hoped, while not assenting to the Bill, the Lord Advocate would be prepared, when the proper time came, to introduce a measure embodying the reforms which they all regarded as necessary in the administration of the Poor Law system in Scotland.

Mr. M'LAGAN said, that the evils complained of by the hon. Member who introduced the Bill were certainly very great, and his surprise was that they had not been remedied before now, seeing that a Commission reported on the question about 12 years ago. It might be stated that the evils were three—first, that the ratepayers were not adequately represented at the Parochial Boards; secondly, that the kirk session and the ministers ought not to have seats as *ex officio* members; and, thirdly, that mandates were improperly used.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present, Mr. M'LAGAN said, at the time he was interrupted he was referring to the statements that were made as to the inadequate representation of the ratepayers upon the Parochial Boards; and he might remind the House that several Bills had been introduced into Parliament for the purpose of giving a more adequate representation, but those Bills had never met with any success. In 1881, however, a Bill was introduced into the House, which was endorsed by the Lord Advocate of the day and the Solicitor General, now the present Lord Advocate; so that the Bill had the approval of the Government. That being the case, he could not conceive for one instant that the Government, which was pledged at that time as to the constitution of the Boards, would give their consent to the present Bill, which provided for a revolutionary system altogether, and he could not believe that his right hon. and learned Friend the Lord Advocate would rise and say that he would vote for the second reading of the Bill. So far as he was concerned, however, he thanked his hon. Friend the Member for Glasgow (Dr. Cameron) for having introduced the Bill, and he took this opportunity of making a protest against the present system. He hoped that the result of the introduction of this Bill would be to induce the Government to thoroughly take up the question and bring in a Bill next year that would remove the anomalies still existing. The hon. Member for Glasgow asked several times what had become of the funds of the kirk sessions who were represented on the Boards by the *ex officio* members. He could explain that what was done at the Board with which he was connected was to pass a resolution recommending the kirk session collection to be given to the minister of the parish, and distributed to those poor people who were not indoor. That had been regularly done, and the money had been used for sick people who were not indoor.

Dr. CAMERON said, the hon. Member had misapprehended what he said, which was that the church collections had been, by the Act of 1845, given over to the kirk session. What he wished to know about was, what had become of the mortifications and other funds administered by kirk sessions as trustees for the poor?

Mr. M'LAGAN said, he was under the impression that the hon. Member had asked that question. However, he was at a loss to know why his hon. Friend had introduced this Bill, because in Scotland they heard nothing about the objections to the Parochial Boards; on the contrary, they found that there was such indifference among the electoral members that it was difficult to get a sufficient number of the ratepayers to elect representatives, and if this Bill were passed he failed to see how it bettered that position. His principal object in rising was to draw the attention of the Lord Advocate to the fact that he was already pledged, and through him the Government, to a different principle of constitution from that contained in this Bill; therefore, he would ask his hon. Friend the Member for Glasgow to withdraw the Bill and not press it to a division, because, by pressing it to a division, he might place the Government in some embarrassment, seeing they were pledged to bring forward a Bill on Local Government; and this question would be treated, amongst others, he had no doubt, in that measure. It would be as well, instead of tying the hands of the Government by getting them to give their consent to the principle of this Bill, to leave them free, both as regards the constitution of these Boards, and of any other Boards which might be connected with local government. While he protested against the existing system, he could not vote for the Bill as it was at present, because he heartily disapproved of the principle.

Mr. PRESTON BRUCE said, he did not see how a Bill which proposed to put the administration of Poor Law affairs in Scotland in the hands of a strictly representative body, similar to that which now managed their educational affairs, could be properly described as revolutionary. He had heard with much pleasure the remarks of the hon. Member opposite (Mr. Cochran-Patrick), who spoke of the great importance of developing local government in Scotland, and who also said that the representative system was the only sound and safe system which they could adopt. It was because he found these principles in the measure before the House that he was prepared to vote for the second reading of the Bill. He could not admit that it accorded with his experience that there was no dissatisfaction in Scotland with regard to the present constitution of Parochial Boards. Complaints on the subject had frequently been brought to his notice, both in connection with the position of kirk sessions on these Boards and with respect to the limited number of elected members. In voting for the second reading he merely declared himself in favour of the substitution for the present Parochial Board of one that should be representative. He should leave himself free to consider afterwards many important matters of detail in carrying out that principle. There was one subject connected with the amendment of their Poor Law administration which had not yet been mentioned, and upon which he should like to say a word; and that was whether, when they came to institute a new system, they ought not to consider the question of the present areas of parishes. There was a most extraordinary diversity in the present areas, whether they regarded it as a question of acres or a question of population. He found that the smallest parish in Scotland extended to 11 acres, and the largest to 182,000 acres. He believed the difference in population was almost as remarkable. He knew that in his own county (Fifeshire) the largest parish had a population of 26,000, while the smallest had a population of 140. It was worth while considering whether it would be possible to institute a satisfactory representative Board in these very small parishes. He thought, in instituting a representative Board, that they ought to take an area sufficient to secure a sufficient number of men likely to be able to conduct the Poor Law affairs without too much influence being given to petty and personal considerations. Again, he would not attempt to enter into the large question of plural voting, further than to say that he viewed with some suspicion and dislike the proposal to continue that system. In conclusion, he said he hoped that the Government would be prepared to show, by consenting to the second reading of this Bill, their desire to institute in Scotland a properly organized representative Board for the management of parochial affairs.

Mr. J. W. BARCLAY said, he had very great pleasure in supporting the second reading of the Bill, which he thought a step in the right direction. It did not propose to deal with all the anomalies or defects in the Poor Law system in Scotland; but it proposed to remedy, upon a sound principle, the present constitution of Parochial Boards. They had heard a great deal as to the feeling of the people of Scotland with regard to the present system. He was able to say, from his own experience, that there was a very considerable amount of dissatisfaction with the present constitution of Parochial Boards in the rural districts. The practical effect of the present system was to place, subject to certain limits, the administration of the Board's funds in the hands of the parish minister; and the fact of the minister of the Established Church having the practical control of the funds was a source of great jealousy and dissatisfaction amongst ratepayers. It would be a very great advantage to the Established Church of Scotland if the present system were abolished, for its abolition would remove, not only one of the great sources of jealousy among the various sects, but also one of the great arguments against Disestablishment. In this view he should have hoped that the Bill now before the House would have been supported by hon. Members opposite. The Chairmen of the Parochial Boards in Scotland were generally ministers of the Established Church, who did not contribute a farthing to the Poor Law funds. How could such a Chairman be acceptable to the ratepayers, and how was it possible that the funds could be administered so economically as they would be if under the immediate control of the ratepayers? He hoped the Government would introduce a Bill dealing with the question of County Government upon a broad basis. It might be an open question whether, under the new system proposed in this Bill, there should not be an equal number of representatives of proprietors, and an equal number of representatives of occupiers. This system had been partially introduced in the administration of the roads in Scotland, and so far it had worked satisfactorily, and there might be a good deal to say for such a proposition if occupiers were to pay one-half of the rates and the owners the other. It had, however, to be admitted that the system of raising funds for education in Scotland had also worked very satisfactorily, and he did not understand that there was any reason for being alarmed at the proposals of this Bill, since school boards in Scotland were elected by similar constituencies, and had the control and administration of probably as large an amount of funds as the Parochial Boards. He admitted that the present Bill was capable of improvement in Committee; and, in voting for the second reading of the Bill, he voted for the principle that the administration of the funds should be in the hands of those who contributed them, and that those who had the administration of the funds should be popularly elected. He hoped the Government, if they were not prepared to deal with the question of County Government, with regard to which it had held out hopes to them for two or three Sessions past, would support the second reading of this Bill, not with the prospect of its being passed into law, but in order to indicate the approval by the Government of the principle therein embodied.

Sir ALEXANDER GORDON said, it was with regret that he differed from the hon. Member for Glasgow (Dr. Cameron); but he was compelled to disagree with him upon this occasion. The hon. Member was more conversant with the working of the urban parishes than with the rural ones; but he (Sir Alexander Gordon) found that out of 1,200 parishes in Scotland there were only 12 burghal and combination parishes—at least, there was only that number in 1871—all the rest being rural parishes. Consequently, the Bill chiefly dealt with the enormous number of rural parishes, and not with the urban parishes. The hon. Member also referred to the non-assessed parishes, and he found there were 63 of those, and there were only 13 which had a population over 1,000. The Bill provided a graduated scale of representation according to the amount of population. The lowest scale was a population of 5,000, which was to have a representation of six members; but the Bill made no special provision for the large number of parishes with populations under 5,000—many of them were, in fact, under 200—and that appeared to him a serious defect in the Bill, and was one of the reasons why he could not support it. Out of the 1,200 parishes he also found there were only 119 with a population of over 5,000; therefore the Bill seemed to have more special reference to these 119 parishes out of the 1,200 that Scotland was divided into. On that point, therefore, the Bill required further amplification. Then, again, the tendency of the Bill would be to enable ratepayers not only to assess themselves, but to assess others, and the provision with respect to that was not adequately made by the Bill. Another thing that was important to notice in considering this question was the absence of Petitions, or rather the small number of them; and all the communications he had received from his part of the country, which was a large agricultural county, were against the Bill. In Scotland they had an Institution called the Convention of Royal Burghs, which was a very ancient Institution, of some 500 years' standing, and that represented the most Liberal feelings of the country. All their tendencies and actions were in favour of the most advanced views on political questions; and they, he found, had not been able to petition in favour of this Bill, but had petitioned in favour of extensive alterations. This should be borne in mind by Her Majesty's Government before they thought of adopting this Bill as it now stood. The Bill certainly contained principles of great value; and he believed there was no difference of opinion on either side with regard to kirk session members of Parochial Boards. ["No, no!"] One or two might object; but, speaking from some knowledge upon the matter, and of the ministers of the Church of Scotland, he knew they were not in favour of being exempted from the payment of rates. With regard to the division of parishes, that was a subject on which they should proceed cautiously. He had himself gone into it a good deal, and it was far more difficult to settle than those who had not studied it might be aware of. Indeed, it was a question which might require to be dealt with in a Bill by itself. If the hon. Member for Fifeshire (Mr. Preston Bruce) could tell him the origin of parishes he should be very much obliged to him. He agreed entirely with what had been said by the hon. Member for Glasgow in regard to mandatories, because that was a subject which required change; but he could not, on the other hand, approve of the sweeping clause which proposed to place rural parishes on the same footing as municipal districts in towns, inasmuch as what might be applicable to cities was not at all applicable to rural parishes.

Mr. BUCHANAN said, he hoped the Government would agree to the second reading of the Bill—not that it should commit itself to all the details, but that it should accept the principle of the Bill. There had been a certain amount of doubt as to what the principle of the Bill really was. The hon. Member for North Ayrshire (Mr. Cochran-Patrick) had dealt with that subject, and had laid down a certain theory of representation. He would not go into that; but what seemed to him the principle of the Bill, and why he supported it, was that it was simply an extension of the representative principle to the Parochial Boards of Scotland—the extension of the same principle that they had applied to school boards and other local boards in Scotland. The hon. and gallant Member for East Aberdeenshire (Sir Alexander Gordon) had objected to the intention to create small Boards where the population was sparse. That was no innovation. Under the present Education Act the number of members of Boards for the small rural districts was five. The smallest Parochial Board contemplated by this Bill was six. There was official evidence bearing on the demand for reform which had not yet been referred to. It was the Report of a Select Committee appointed to inquire into the mode of election of Poor Law Guardians in England, Scotland, and Ireland, and was presented in 1878. Only two Scotch Members were on that Committee; but the Report regarding Scotland was strongly in favour of reform. The Report contained this statement, that dissatisfaction with the present system was expressed by all the witnesses, with one exception. There was a consensus of opinion to the effect that both the mode of election and the constitution of Parochial Boards required alteration, particularly as respected the representation. He should certainly support the hon. Member for Glasgow, and hoped the Government would agree to the second reading of the Bill, on the ground that they would thereby give their consent to the principle of the desirableness of a large extension of the representative element on the Parochial Boards.

Mr. C. S. PARKER said, it was evident from the debate that there was considerable diversity of opinion as to the merits of the Bill. Even his hon. Friend the Member for Glasgow (Dr. Cameron) and his hon. Friend the Member for Forfarshire (Mr. J. W. Barclay), whose names were on the back of the Bill, were willing to drop some of its clauses —especially those of a disfranchising character. Indeed, an important body in the constituency of the hon. Member for Glasgow—the Glasgow Landlords' Association—had made strong objection to the way in which, in their burghal parish, they would be disfranchised. But he would not now dwell on clauses. What they ought now to consider was the principle to which they would be committed by the second reading. The hon. Member who had just spoken had said that the purpose of the Bill was to apply to the government of parishes in the elections of Parochial Boards the representative principle in the same way as in electing school boards. That could not be said exactly; but the Bill, as actually drawn, did propose to place the representation exactly on the same footing as in municipal elections. Now, if the Government were disposed to assent to the second reading of the Bill, he hoped they would not do so in the narrow sense of assimilating the elections precisely to those either of school boards or of Town Councils. There was a system of representation already existing for Parochial Boards; and before they parted with it they ought to consider carefully whether the new proposal would provide for all the interests at stake. The hon. Member for North Ayrshire (Mr. Cochran-Patrick) touched the central principle of the Bill when he said they were all agreed that representation was necessary. But there was representation and representation. In common with many hon. Members, he was in this position, that he did not like the existing representation, nor did he like the proposed representation. The representation of kirk sessions was given up by most hon. Members, and he was sure the feeling of the House was in favour of restricting the use of mandates. If the hon. Member for North Ayrshire had happened to be in the House in the earlier part of the day he would have heard that among his own constituents at Largs was, perhaps, the most extraordinary case that had been quoted in regard to mandates. These points were universally given up; but he did not think the Scotch Members generally would be disposed to go so far as to assimilate the Parochial Board elections with those of the School Boards on the one hand, or with those of Town Councils on the other. The interests involved were somewhat different. Hitherto the principle had been admitted that there should be representation of all who paid largely towards the rates, and he thought they would not be disposed to throw away entirely the old principle of regard to to the interests of property. The course he proposed to take was this. If there could be a clear understanding that the second reading committed the House only to the principle that the representation should be much improved and enlarged, he should vote for it; but not if it was understood that this Bill, differing as it did from the Bill brought in by the late and by the present Lord Advocate, in any way superseded that Bill. The two Bills should stand equally for consideration. Probably, this Bill would not make further progress. In that case the Government might consider it at leisure together with their own former Bill, and with the general question of local government in Scotland.

The LORD ADVOCATE (Mr. J. B. Balfour): Sir, I should be very glad if my hon. Friend the Member for Glasgow (Dr. Cameron) saw his way, after the discussion which has taken place, to rest satisfied without pressing the Bill to a division. I think, on the whole, the discussion has been eminently satisfactory. I may, however, venture one exception to that remark. The hon. Member for Dumbartonshire (Mr. Orr-Ewing), while charging that there had been certain inaccuracies of a very trifling character in some of the statements of the hon. Member for Glasgow, went out of his way to be guilty of a much larger and much graver inaccuracy than almost any, I think, I have heard given utterance to in this House. The hon. Member for Dumbartonshire, for some reason best known to himself, made what I cannot regard in any other light than an attack upon my Colleagues and myself, and I am quite willing to leave to the judgment of this House whether that attack was merited or not. He seemed to suggest—almost to say—that in some manner or other I was hampered or impeded by the action of my Colleagues in performing the duties of my Office—a suggestion which I need not say in this House is absolutely and entirely without foundation. [" *Cheers.*"] After the way in which that statement is received I need make no further allusion to that topic. The one main reason why I venture to suggest to my hon. Friend the Member for Glasgow that he should not press the Bill further is that the whole subject of local government has been and is under the careful consideration of the Government, and undoubtedly the administration of the Poor Law is an important branch of that great subject. Therefore, it is and will be the duty of the Government to consider that matter, and to deal with it, whether in the same measure which they propose to submit when the opportunity offers or in a separate measure, will be a question afterwards to be determined. But I think it has been admitted on all sides of the House in the course of this discussion that the present condition of the Poor Law relative to the constitution of Parochial Boards in Scotland is very far from being satisfactory. I think there is what I may call a consensus of opinion upon that matter, and the discussion has been by no means thrown away if it has brought that fact more prominently before the minds of those who ought to have been aware of it before, or who may have allowed it to fall to a certain extent out of notice. There seems to be no doubt at all that certain parts of the constitution of Parochial Boards are scarcely defended, and, I might add, are scarcely defensible, and the point in this Bill most deserving the recognition of the House is that it proceeds upon the view that there ought, at all events, to be a very much larger introduction of the elective or representative element into these Boards than has hitherto existed in them. That, I think, was very well put by some hon. Members, who accept that as the leading principle of the Bill. Undoubtedly it is. There is a good deal in the machinery of the Bill to which I should certainly find it very difficult to assent; and I may add, moreover, that I do not think it would be wise to commit ourselves at all to the idea—at all events, finally—that there should not be any other element at those Boards than that to which the sole prominence is given in this Bill. Reference has been made to a Bill introduced two years ago, and to the Report of a Select Committee on that Bill, and in the very few remarks I shall offer on this Bill I should desire that it be distinctly understood that the Government would hold themselves absolutely and entirely free to consider in the future, as they have in the past, in what way and to what extent property should be represented on those Boards. The one mode of effecting that object suggested in the last Bill and in the Report of the Select Committee was by giving direct representation, if I may so call it, by actual seats on the Boards to persons possessing a certain amount of property. Another mode, suggested sometimes, has been to allow proprietors distinguished from tenant ratepayers to elect certain members. These and other suggestions have been made, and they are all well deserving of careful consideration. I think it would be unfortunate if anything that passed today would prejudice the full and fair consideration of these questions. But what appears to me to be the main value of the discussion which has been initiated by the hon. Member for Glasgow is that it has elicited a very large—I think I might say unanimous—opinion in favour of obtaining an exclusive, or, at all events, a very much amplified, presence of the elective element. That is certainly quite in accordance with the whole current of idea at this time; but I venture to suggest to my hon. Friend that the particular mode in which that ought to be carried out will deserve further and fuller consideration. I would further venture to put it to him and to the House whether it would, on the whole, be better that he should not proceed further with the Bill in consideration that the Government might deal with it in the manner I have indicated, either as part of a general measure of local government, or by way of a separate enactment dealing, not only with the constitution of Parochial Boards, but with a variety of other matters connected with the Poor Law which undoubtedly stand in need of amendment. I submit to my hon. Friend that that would be a wise course to follow in this case; but, at the same time, if the hon. Member should press the Bill to a division, I should not, having distinctly stated that we recognize in the Bill as the principle that mainly underlies it, a fuller and ampler infusion of the representative element, be disposed to resist the second reading, although I should very strongly counsel him not to press the second reading. At the same time, I couple with that non-resistance a very distinct and explicit reiteration of what I have already said—that the Government and those Members who may think fit to take a like course should not be precluded from considering all those other questions touching the constitution of the Boards which have been largely referred to to-day, and, in particular, the question whether there should not be some direct or indirect representation of property as distinguished from occupancy on the Boards. There was a part of my hon. Friend's speech in which he raised a question, which I rather think is a somewhat vexed one, as to the true nature of the Poor Law rate. I know it has been a controverted question whether that is a personal tax or whether it is a tax upon property. That, after all, I daresay, resolves itself very much into the question whether you put it to a man that he is to pay a particular amount for his means of subsistence, or whether you put it to him to say—"Because you own a particular piece of heritable property you must pay." That, in substance, is a tax; but I merely wish to put in a caveat that, though it has been referred to by my hon. Friend as a personal tax, I rather think for the purposes of discussion that it may be a tax upon property. As the matter in all its bearings has been so fully gone into on all sides, I think it would be superfluous for me to go into them again, or to repeat any of those criticisms which I think might very justly be made against the Bill. But eliminating from those particulars the general principle of the Bill, I should not, as I have said, be prepared to resist its second reading, although I should once more appeal to my hon. Friend whether, in the whole circumstances, he should press the matter to a division.

Mr. DALRYMPLE said, that the Lord Advocate, in one part of his speech, had urged the withdrawal of the Bill, and in another, while stating that if the hon. Member for Glasgow pressed the Bill to a division he would not resist the second reading, guarded himself by saying that he would not be bound by the effect of the vote. He (Mr. Dalrymple) had been very much reminded of old times by this debate. He remembered the Parliament of 1868, when, as now, a few Scotch Representatives sat on that side of the House, and a great many on the other. Bills used to be introduced on the other side. There were sometimes the greatest differences of opinion on the other side, and they waited with the greatest interest to hear the opinion of the Government of the day. He remembered when Lord Young was Lord Advocate, if he disapproved of a Bill—if he thought the propositions mischievous—he said that he disapproved of it, and he opposed the Bill. But that was not the principle nowadays. The principle was now to say—"I do not approve of your Bill, but I shall not resist the second reading, and yet I must not be bound by the vote which I give." He had with some astonishment observed that hardly any speech had been made in favour of the Bill. With the exception of the speech by the hon. Member for Glasgow (Dr. Cameron) and the hon. Member for Forfarshire (Mr. J. W. Barclay), whose names appeared on the back of the Bill, there had not been an out-and-out speech in favour of the Bill. He had heard with much interest the speech of the hon. Member for Fife (Mr. Preston Bruce), who had addressed himself to the extension of the representative system of Parochial Boards; but his hon. Friend the Member for North Ayrshire (Mr. Cochran-Patrick) had also spoken from the Conservative side in favour of this extension. But then the hon. Member for Fife dwelt upon everything except the Bill. The hon. Member for Aberdeen (Mr. Webster) spoke strongly in favour of the extension of the representative system, but also informed them that the present system worked admirably at Aberdeen. It had been an interesting discussion in regard to everything but the Bill. He observed that when the feeling of Scotland was alluded to it was in reference to a change from the present system, but never in favour of the present Bill. He had not seen any representation made in favour of the Bill. All the communications they had received—and they had received many — had been against the Bill; but there was a feeling in favour of a change in the present system, and that nobody denied. He had observed that, when it was convenient, the greatest possible importance was attached to deputations, and still greater importance to Petitions; but, on the present occasion, as there had neither been deputations nor Petitions in favour of the Bill, there had been a great deal of sneering at both. There had been no Petition from the Convention of Royal Burghs, whose decisions were occasionally deemed of such importance as to be spoken of with bated breath. The Convention was against the present Bill.

Dr. CAMERON said, the Convention sitting in Glasgow had passed a resolution directly in favour of the Bill without any objection. If there was a Petition, it must have been drafted by some Committee, and not by the Convention.

Mr. DALRYMPLE said, he stood corrected; but the hon. and gallant Member for East Aberdeenshire (Sir Alexander Gordon) asserted that he had received a Petition from the Convention against the Bill.

Sir ALEXANDER GORDON explained that he had not received a Petition, but that a Petition was on its way asking for extensive alterations of the Bill.

Mr. DALRYMPLE said, he withdrew what he had said, except that when the Convention was in favour of a measure a great deal was made of that opinion. The general feeling in the country and the House was in favour of the extension of the representative principle, and he had only heard one speech against it. Wonder had been expressed why those who were favourable to the Church of Scotland in this House did not wish the removal of the privileges of the Church in reference to these Boards. He was not aware that anybody had mentioned the privileges of the Church of Scotland as particularly desirable, or had expressed a desire that they should be maintained. He confessed he should be very far from objecting to the removal of these special privileges, and, as a warm friend of the Church of Scotland, he could only say that that was his opinion. He must put in a word of caveat in regard to what had been said as to Kirk Sessions, as if theirs was a sort of tyrannical influence which was prejudicial to the districts in which they worked. In regard to Kirk Sessions, after all, they were ratepayers, and would represent the feeling of the ratepaying people in the district. He must refer to what had been said by the hon. Member for Glasgow (Dr. Cameron) as to jugglery and jobbery. He called everything he did not understand juggling, and everything he did not see jobbery; but it did not appear that all that the hon. Member for Glasgow failed to understand or was not permitted to see was necessarily michievous, and certainly the allegation was new that there was any misappropriation of public funds by Parochial Boards. In concluding, he returned to the point at which he began. He thought it a most unfortunate thing, in a Parliamentary sense, that, after a discussion of considerable length and interest, which had brought out a great variety of opinion, in which there had been so very little defence of the Bill before the House, Her Majesty's Government should not stand to their guns and say this—"We are in favour of a change in reference to the Parochial Boards, and are prepared to deal with the question; but we do not approve of the measure now before the House, and we consider that in affirming a wrong principle in this Bill we should be misleading the House. We, therefore, should oppose the Bill." He ventured to think that if they did this no one would misunderstand the action of Her Majesty's Government. Only last night Her Majesty's Government had resisted a proposal on the ground that they were going to deal hereafter with a larger question which would include the smaller; but to-day, when they were considering a question in exactly the same position, they were going to vote for the proposal.

Mr. BOLTON said, he agreed with the hon. Member who had just spoken, that no one was opposed to an extension of the elective principle; but he would urge the hon. Member to withdraw the Bill, for while that Bill would remove a few anomalies, it would create a greater number. The Bill would actually disfranchise the ratepayers who paid the largest proportion of the rates. If the hon. Member (Dr. Cameron) would withdraw the Bill, he would, by the discussion, have done great service to Scotland, and would thereby promote the object he had in view. It was news to him to hear that the Parochial Boards were ruled by the Established Church ministers. He had known of a minister of the Church being a member or a chairman of a Parochial Board, but that was the exception, and certainly not the rule. He repeated his appeal to the hon. Member for Glasgow to rest satisfied with the discussion, and not go to a division.

Mr. ANDERSON said, that to hear the speech of the hon. Member for Bute (Mr. Dalrymple), one would suppose that the Government had taken an unusual course in assenting to the second reading while objecting to many of the details. On the contrary, it was the most usual course. It was exactly what Lord Young, amongst others, used to do. He himself had passed Bills in this way. Lord Young agreed to the second reading, trusting to have modifications and alterations introduced in Committee, and he usually took care to have them introduced. Instead, therefore, of the present course being unusual, it was something very usual for the Government, if they approved of the main principle, to vote for the second reading. Even the hon. Member for Bute himself was to some extent committed to the principle of the Bill, and therefore he also ought to vote for the second reading. The principle of the Bill had been very clearly stated, and the scandal of the present system was so great, and it had been condemned so often, that he was not going to say one word about it, but would simply recommend his hon. Friend to take a division, and so let it be seen who were in favour of a real representative system and who were not.

Question put.

The House *divided*:—Ayes 107; Noes 103: Majority 4.—(Div. List, No. 63.)

Main Question put.

The House *divided*: — Ayes 91; Noes 83: Majority 8. — (Div. List, No. 64.)

Viscount FOLKESTONE rose to Order. He was down stairs when the Bell was rung for the second division. The Bell was only rung once, and when he got up into the Lobby he found the door closed. He, and a whole number of hon. Members on both sides of the House, were then locked out. He understood that the Division Bell should be rung four distinct times, and in consequence of the Bell only being rung once a great number of Members were prevented from attending the division. He wished to know whether, under the circumstances, the division could stand?

Mr. SPEAKER: I have no authority to set aside the division, and it must stand.

Bill read a second time, and *committed* for *Wednesday* next.

### PARTNERSHIPS BILL.—[Bill 40.]

(*Mr. Serjeant Simon, Mr. Gregory, Mr. Barran, Mr. Lewis Fry, Mr. Norwood.*)

SECOND READING.

Order for Second Reading read.

Mr. Serjeant SIMON, in moving that the Bill be now read a second time, said, it was a measure to consolidate the Law of Partnership. When it was first introduced it was intended to deal with the two other questions—the registration of firms, and with limited partnerships—but the Select Committee to whom the Bill was referred struck out these two portions of the Bill; and it was now introduced in a form simply to consolidate the present law. That being the case, it need not be discussed at length now, particularly as he would propose to refer it to the Grand Committee on Trade, or to another Select Committee.

Mr. T. C. BARING said, the Grand Committee had as much work before it as it could get through this Session.

It being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

### PATENTS FOR INVENTIONS [SALARIES AND EXPENSES].

*Considered* in Committee.

(In the Committee.)

*Resolved,* That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the Salaries of any Officials who may be appointed, and of Expenses which may be incurred under the provisions of any Act of the present Session to amend and consolidate the Law relating to Patents for Inventions, Trade Marks, and Registration of Designs.

Resolution to be reported *To-morrow.*

House adjourned at ten minutes before Six o'clock.

## HOUSE OF LORDS,

*Thursday, 19th April,* 1883.

---

MINUTES.]—Public Bills—*First Reading*—Oyster and Mussel Fisheries Orders Confirmation * (33); Prevention of Crime (Ireland) Act (1882) (Audience of Solicitors) * (34); Glebe Loans (Ireland) Acts Amendment * (35).

*Second Reading*—Tramways (Ireland) Provisional Order (Extension of Time) * (28); Land Drainage Provisional Order * (26).

*Committee*—Medical Act Amendment (16-36).

### MEDICAL ACT AMENDMENT BILL.

(*The Lord President.*)

(No. 16.) COMMITTEE.

House in Committee (according to Order).

Clauses 1 and 2 *agreed to.*

Clause 3 (Title to registry).

Viscount POWERSCOURT moved, in page 1, line 16, after ("appointed day") leave out to the end of the clause, and insert—

("1. The medical registrar shall not register a person in the medical register unless he or she has obtained the diploma of one or more of the medical authorities for one part of the United Kingdom after having obtained, through a medical board constituted under this Act, a certificate that such person has proved his or her competency, by examination, to be qualified under this Act to practice medicine, surgery, and midwifery.

2. Each person who has obtained a qualifying certificate under this Act shall, before registration, be attached to one at least of the medical authorities for that part of the United Kingdom in which he or she has obtained such certificate, by obtaining from such authority a medical diploma (whether degree, membership, associateship, or other), subject nevertheless to this qualification, that if, on application by any such person to any of the medical corporations for the said part of the United Kingdom, the corporation refuse to attach him or her to such corporation by granting him or her some medical diploma, or demand a fee for so attaching him or her, or otherwise fail so to attach him or her within one month after such application, the applicant shall be entitled to be registered in the medical register without being attached to any medical authority.

3. Nothing in this section shall oblige a medical corporation to attach a person to such corporation by granting him or her a diploma for the purpose; and a person shall not by reason only of being attached to a medical corporation for the purpose of registration be entitled, except so far as the corporation in their discretion otherwise provide, to any share in the govern-

ment, management, or proceedings of that corporation, or to any rights or privileges in connexion with that corporation.

4. A medical authority, without prejudice to any other power vested in them, may from time to time, by a statute or byelaw made with the approval of the Privy Council, constitute a new medical diploma, to be granted by them for the purpose of attaching to such authority, with a view to registration, persons who have obtained qualifying certificates under this Act; but if any such new medical diploma is constituted by a medical authority for the said purpose, that diploma shall be the only diploma granted by such authority for the purpose of attaching to such authority, with a view to registration, persons who have obtained qualifying certificates under this Act?")

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, he could not assent to the Amendment, believing that the object which the noble Viscount had in view would be sufficiently met by the Bill as he proposed to amend it. He understood and fully appreciated the object of his noble Friend—namely, that under the operation of the Bill the medical bodies should not suffer or lose their status and means; and he (Lord Carlingford) certainly did not desire that they should do so. The Bill, with his Amendments, would recognize all existing titles of medical bodies, and would not attempt to create any fresh title, as it was supposed to do in its former shape. He believed that the medical authorities of the country would feel that the Bill as altered would not endanger their position, and the plan of compulsory affiliation was even from their point of view no longer necessary. The Bill now avoided the difficulty in respect of women candidates. He could not accept the Amendment.

THE EARL OF MILLTOWN said, both the Colleges of Surgeons and of Physicians in Ireland were particularly anxious as to the point covered by this Amendment.

THE EARL OF CAMPERDOWN said, the Royal Commission had examined the subject of compulsory affiliation, and had come to the conclusion that it was unjust, and that it would be impossible to carry it out.

THE DUKE OF RICHMOND AND GORDON asked the Lord President to indicate whether his Amendments would meet the case now under consideration?

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, he proposed to omit Clause 26, and substitute another clause for Clause 27. As it stood, the Bill by Clause 26 provided for a new title of "Licentiate of the Medical Council," and Clause 27 proposed the recognition and registration of higher medical titles. The Bill, as it would stand by his Amendment, would provide that all the licensing bodies should be entitled to register all their titles.

Amendment *negatived.*

Clause *agreed to.*

Clause 4 *agreed to.*

Clause 5 (Registered medical practitioner exempted from serving in certain offices).

On the Motion of Viscount POWERSCOURT, Amendment made, in page 2, line 20, after ("hundred") by inserting ("barony").

Clause, as amended, *agreed to.*

Clauses 6 to 8, inclusive, *agreed to.*

Clause 9 (Establishment of Medical Boards).

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, he thought it might be convenient to the Committee if he stated at this point the views of the Government with respect to this important matter. And first he would say, that the constitution of the Conjoint Boards, as they were commonly called, was a matter of extreme difficulty. In fact, it was one of the most perplexing questions of a subject that bristled with perplexities, and one which would require the most careful consideration. First of all, there was the question as to the amount of representation which the medical bodies in the country, taken one by one, should have on these Boards; but over and above that there was also the question of the comparative representation and influence of the Universities on the one hand, and of the combined Medical Corporations on the other, and it was no easy task *tantas componere lites.* As regards the Scotch Medical Board, the numbers would stand as they were. But with regard to England, it would be seen that although the Royal College of Physicians of London and the Royal College of Surgeons of England returned three members each, while the Universities returned some two members and some one member only, yet in combination the Universities returned a larger number of members than the great Medical

Corporations. He had taken great pains to obtain all the information in his power on this question, and had come to the conclusion that this proportion did not represent the comparative importance in the system of medical examination and licensing, and that the Universities, taken as a whole, were somewhat over-represented, while the Medical Corporations were somewhat under-represented by this distribution. The great Corporations took so prominent a part in the granting of licences that the Bill was hardly just to them. It was quite impossible, of course, to fix on any numbers that would represent the exact relative importance of each body, for they had to consider, not only the comparative importance of each body, but also the comparative importance of the two classes of bodies. His proposal, therefore, was that the five English Universities should return one member each to the Medical Board. The result of that would be to give a small majority to the Medical Corporations, who did so much the largest share of the work in the way of medical licensing. With respect to Ireland the case was different, and so it was in Scotland. There could be no doubt whatever as to the superior claims of the Scotch Universities, but in Ireland the two sets of authorities were rather more equally balanced; but, on the whole, he thought a majority should be given to the Irish Universities. There was an Amendment on the Paper dealing with the vote in the Irish Board proposed to be given to the Apothecaries' Hall of Ireland, and upon consideration he had come to the conclusion that that vote should be withdrawn, for, even if the Government decided to leave the Bill as it then stood, the Medical Council, under the powers proposed to be conferred on them by the Bill, would almost certainly feel bound to take it away. That being so, he proposed that each of the Irish medical authorities, with one exception, should return two members to the Joint Board. The two authorities which would have returned three members—namely, the Royal College of Surgeons in Ireland and the King's and Queen's College of Physicians in Ireland—would return two members. The Royal University of Ireland would, according to his present proposal, have two members. Trinity College would have one more member than the Royal University, and the result would be that together they would return five members to the board, and the two Irish Medical Corporations four. That was the proposal he had to make to their Lordships.

The Marquess of SALISBURY: said, he thought the action of the noble Lord a little extraordinary. He could well understand that the adjustment of these claims was one of the most difficult duties which the noble Lord had had to perform; but, at the same time, he could not help thinking that he had taken a very odd method of performing it. The noble Lord had announced on the second reading the manner in which these different Corporations were to be represented on the Council, and, after careful consideration and deliberation on the part of those bodies, they had assented to the course proposed. Now, when these terms were published, on the faith of which the second reading had been taken, the noble Lord came down to the House, and, without any Notice, proposed to revolutionize the former scheme as regarded the entire constitution of the Council. The noble Lord had said it was no easy task *tantas componere lites*. What did he think would have been the consequence if Paris had said at the last moment to Venus that she must give up the apple to Juno? Or, to take a more modern example, what would be the feeling of the House of Commons if a Reform Bill was introduced with much pomp and circumstance to the country, and then a Minister came down suddenly and announced that he intended to take away half the representation of certain counties? That was very much like the proposal which the noble Lord made to the House. As to the representation of the English Universities, he thought that in striking down their influence, the Lord President had not increased the value or dignity of the Council to be constituted. Not only was a representation given to an English University, which in itself was an important matter, for the Universities were one of the greatest securities that medical practitioners would have a high standard of education, but the strangest possible proposal was made in regard to their relative importance. Oxford, Cambridge, London, Durham, and Victoria seemed all of equal importance in the eyes of the Lord President.

Lord CARLINGFORD (Lord President of the Council) disclaimed any such view. He had expressly said that it was impossible to devise a scheme that would recognize their exact relative importance, and at the same time their importance taken together as compared wish other bodies.

The Marquess of SALISBURY said, he was aware of that; but the effect of the Bill was to recognize their equality. But, apart from this, why stop at Victoria? Why was not the nascent Welsh University included as well as another which he believed was in Yorkshire? The proposal of the noble Lord was most injurious to the constitution of the Council, most unfair to the English Universities, which had been taken by surprise, and based on an utter misconception of the relative values of the Universities towards each other.

Lord CARLINGFORD (Lord President of the Council) said, that his present proposal was based on information which he had received from many quarters, including the Universities, since the Bill was printed.

Lord EMLY said, he agreed with the noble Marquess as regarded England; but as to Ireland he thought the arrangement proposed was most extraordinary. The noble Lord proposed to give the Royal University and Trinity College, Dublin, two and three members respectively. Out of 880 medical students in Ireland, only 230 were at Trinity College, and the remainder at the Royal University. Why, then, the Royal University should be in a worse position than Trinity College he utterly failed to comprehend.

Earl GRANVILLE said, the discussion proved almost conclusively the impossibility of arriving at any theory of representation which would exactly be justified in all its particulars. He admired the manner in which the distinguished Chancellor of the University of Oxford resented that University being put in the same position as Durham. But with the greatest respect for the University of Oxford, to which he himself belonged, he would say that as a Medical University it had not the slightest ground for standing in the same position as the London University, either as regarded the distinction of its medical degrees or the number of its students. He merely mentioned that, in order that their Lordships might not be led away by considerations of that kind.

The Earl of GALLOWAY said, the Lord President did Scotland the honour to say that there was no doubt as to the superior claims of the Universities there, as to the representation they should have as compared with the other Medical Corporations. He was not going to propose that these Universities should not have their due proportion; but he had to-day presented a Petition from the Faculty of Physicians and Surgeons of Glasgow, and from what were called extra-mural Faculties, and the feeling of those bodies was that the representation proposed by the Bill was exaggerated as regards Scotland. Under the Act of 1858 it was enacted that the Universities of Scotland were only to be represented by two, and the Medical Corporations by three members. Now it was proposed to give no less than eight for the Universities, and to retain three for the Medical Corporations. He thought that was giving the Universities too great a preponderance, considering that the Medical Corporations hitherto had a majority of one. This had only been brought to his notice so recently that he had not time to place an Amendment on the Paper; but he should propose an Amendment on Report, and he hoped the noble Lord would take the subject into consideration.

Earl CAIRNS said, that on the second reading of the Bill no indication was given that there would be a change in the representation, and even now the Amendment proposed by the noble Lord had not been placed on the Paper. Their Lordships, as well as all who were concerned, were taken by surprise, and he would suggest to the Lord President that, as there were objections to the proposal, he should make it at another stage of the Bill. With reference to Ireland, he would rather see the Universities on an equality, and he thought there were obvious reasons why a difference should be made in respect to them, giving the College of Physicians three, and the College of Surgeons two. As the noble Lord had now left the English Council, it would be composed of an even number of members, and there might be a complete deadlock.

The Earl of MILLTOWN said, he thought that the Royal University ought not to be put on the same footing as the University of Dublin. Properly speaking, the Royal University had no students. It was simply an Examining Board to which students from various Colleges merely came up for examination. The idea of the noble Lord opposite (Lord Emly) that that University was entitled to as many votes on the Council as the University of Dublin, was, therefore, erroneous and absurd.

The Earl of CAMPERDOWN said, he was unable to concur in a great many proposals contained in the Bill as originally drafted. He agreed that the question of representation on the Board was the great question. The difficulties mentioned had occurred to the Royal Commission, and they thought the question was one to be decided by Parliament, giving a general indication in their Report that in Scotland the Universities had taken a very large share in the medical education and examination, and that in England the two Medical Corporations had also taken a very large share. With regard to Ireland, the proportion appeared to them more nearly equal, and they made no specific recommendation. The question of representation must be worked out according to the same principles in the Three Kingdoms. These principles were—first, the amount of interest that had been taken in the past, and likely to be taken in the future, by the different Medical Corporations in both general and special education; and, in the next place, there was the actual amount which had been done, and the relative proportion taken by each of them in the actual work of licensing. The clause under discussion dealt with three Boards—English, Irish, and Scotch. He would suggest that the question of the English Board should be postponed for discussion on Report, and that their Lordships should now go on with the discussion on the Irish and Scotch Boards respectively.

The Duke of RICHMOND and GORDON said, he preferred dealing with the clause as it stood. The question had not been discussed on the second reading, and those connected with England had no idea that any alteration would be made. Oxford and Cambridge had made of late years enormous strides in all matters connected with medical science, and it would be unseemly to place them upon an equal footing with other Universities which had not done so much for medical science. He suggested that the Medical Board for England should be allowed to remain as it was in the Bill. If his noble Friend behind him went to a division, he should feel obliged to vote against the proposition of the Lord President.

Lord O'HAGAN said, that some 900 medical students were connected with the Royal University in Ireland, and it would be unjust to establish the proposed distinction between that University and Trinity College. The medical students of the three Queen's Colleges and the Catholic University, whose professional education had been committed to the new Institution, were a great and growing body, and entitled to much consideration in the arrangements contemplated by this Bill. Its Senate had been specially careful that the instruction given should have a high standard, and that the qualifications required for degrees, as well as general culture in medical and surgical acquirements, should be such as must command the confidence of the public.

The Earl of BELMORE said, that he was able to state on good authority that the University of Dublin was not desirous of any distinction being made between it and the other University. With regard to the number of representatives to be assigned to the Universities and the Royal Colleges of Physicians and Surgeons respectively, he wished to point out that whilst the Universities granted degrees after examinations in each of the three subjects of medicine, midwifery, and surgery, the College of Physicians gave diplomas in medicine and midwifery only, and the College of Surgeons in surgery only. Thus the two latter bodies only did together what each University did separately; therefore, there would be no hardship in their having five members between them, whilst the Universities had three each.

Lord CARLINGFORD (Lord President of the Council) said, he was most anxious to take any course that would bring the matter to a fair conclusion, and he would therefore accept the proposal of the noble and learned Earl (Earl Cairns). He would, consequently, strike out the provision that the Apothecaries' Hall should have a representative on the Board, and would give to the University of Dublin and the Royal University of Ireland three members each instead of two. He also agreed that the College of Physicians should have three representatives, and the Royal College of Surgeons two. As to England, he was very unwilling to take anyone by surprise, and therefore he would not press any Amendment on the subject at present; but, at the same time, he reserved his right of placing any Amendments on the Paper at a future stage.

Lord EMLY said, he thought that the College of Surgeons, as being the teaching body, ought to have three members instead of two; while the College of Physicians, which was not a teaching body, but only a body of trustees, should be content with two.

Viscount POWERSCOURT: Would it be a bad plan if each of these Colleges had three representatives?

The Marquess of SALISBURY: There would be no majority.

Earl CAIRNS said, he merely desired that these Colleges should have five representatives between them.

The Earl of MILLTOWN proposed that the College of Surgeons should have three representatives and the College of Physicians two.

Earl CAIRNS assented.

Lord CARLINGFORD (Lord President of the Council) said, he would agree that, subject to amendment on Report, the Universities should have three representatives each, the College of Surgeons three, and the College of Physicians two.

Amendment *moved*, in page 4, line 12, leave out ("Two") and insert ("Three"); line 13, leave out ("Two") and insert ("Three"); line 14, leave out ("Three") and insert ("Two"); leave out line 16.—(*The Lord President.*)

The Marquess of SALISBURY said, he thought that they had better accept the Amendment provisionally.

Amendment *agreed to.*

On the Motion of the Lord President, the following words were inserted in page 5, after line 29:—

"(16. Any report of the Privy Council purporting to be made in pursuance of this section shall be laid as soon as practicable before both Houses of Parliament, if Parliament be in session at the time of the making thereof, or if not, then as soon as practicable after the beginning of the then next session of Parliament.

17. If either House of Parliament present an address to Her Majesty within forty days next after any such report has been laid before such House that such report or any part thereof ought not to be carried into effect, no further proceedings shall be taken in respect of the report with regard to which such address has been presented, but if no such address is presented by either House of Parliament within such forty days as aforesaid, it shall be lawful for Her Majesty by Order in Council to give effect to any such report, and any Order in Council so made shall be of the same validity as if it had been enacted in this Act.")

Clause, as amended, *agreed to.*

Clause 10 (Medical Board to regulate examinations subject to control of Medical Council and Privy Council).

Lord BALFOUR, in proposing the insertion of a Proviso to the effect that—

("Such final examinations in medicine, surgery, and midwifery may, for the purposes of this Act, be held at each university by the examiners of the medical board in conjunction with the examiners of the university, or in each division of the kingdom, in conjunction with the examiners of a board formed by the combination of two or more corporations,")

said, the object of the Amendment was to insure, if possible, that it should not be necessary for each candidate to go through two final examinations; and he proposed, therefore, that the final examinations of the Divisional Board and that of the University for the degree should be held at one and the same time. The reason for the Amendment was that the examinations of the Universities for degrees were very long, tedious, and somewhat expensive affairs. At all events, the clinical part of the examination was, and it was to avoid the repetition of that long and tedious process that he proposed his Amendment. The Lord President would doubtless say that the Amendment went to the root of the Bill; but that was no argument against it, unless it was proved that it was in itself bad. The examiners of the Boards and the Universities would conduct the examination at the same time; but they would deliberate separately, and might come to a different conclusion as to whether a particular candidate had passed or not. If, however, he was assured that the position given in the Bill to the Scottish Universities would not be altered at a subsequent stage, in response to the contemplated Amendment by the noble Earl (the Earl of Galloway), he would be much less inclined to press his Amendment than he was now.

Amendment *moved,* in page 6, line 5, after ("examinations") insert—

("4. Such final examinations in medicine surgery, and midwifery may, for the purposes of this Act, be held at each university by the examiners of the medical board in conjunction with the examiners of the university, or in each division of the kingdom, in conjunction with the examiners of a board formed by the combination of two or more corporations.")—(*The Lord Balfour.*)

The DUKE of RICHMOND and GORDON said, he could not agree with the proposal of the noble Lord. The Amendment was designed in the interests of the Scotch Universities, and he advised the noble Lord to bring it up at a later stage if he was not then satisfied as to the position to be given to those Universities under the Bill. But, even then, he could not promise to support him.

Lord CARLINGFORD (Lord President of the Council) said, he was quite unable to agree with the Scotch Universities which the noble Lord represented upon this point. He was bound to say, as the noble Lord anticipated, that the Amendment was absolutely vital to the Bill. The proposal was made solely in the interests of the Scotch Universities, which were most valuable bodies; but if he were to put the Scotch Universities in a special and exceptionally-favoured position, it would be absolutely impossible to carry out a joint scheme affecting the Three Kingdoms. He thought, however, that the Scotch Board and the Universities would have no difficulty in arranging matters so as to avoid the final examination being conducted twice. He was convinced the fears of the noble Lord and those whom he represented with regard to the effect of this part of the Bill on the Scotch Universities were quite unfounded. It would be impossible to accept the Amendment. As to any danger to the Bill in "another place," if the Government and the Scottish Members on both sides could not provide for its safety as it stood, with respect to Scotland, he did not know what earthly power could do it.

Amendment (by leave of the Committee) *withdrawn.*

The Earl of MILLTOWN proposed, in line 17, after ("Kingdom") to insert—

("And the Medical Council shall, before approving of the schemes sent up to it by the divisional boards, arrange that the examinations, curriculum of study, and fees to be paid by candidates, shall be uniform in each division of the Kingdom.")

Lord CARLINGFORD (Lord President of the Council) said, he agreed that practical uniformity ought to be attained; but absolute identity of curriculum and everything else would be going too far. They might safely trust the Medical Council and the Privy Council to prevent anything like that undue competition or underbidding between different medical authorities which had been so great a great blot upon the present medical system.

Amendment (by leave of the Committee) *withdrawn.*

On the Motion of The Lord President, Amendment made in page 6, line 15, by leaving out from ("So far as") to ("kingdom") in line 17, both inclusive, and inserting—

("The rules with respect to final examinations shall be framed in such manner as to secure, so far as is practicable, in each part of the United Kingdom, an equality of standard in each final examination and an equal capacity for testing proficiency, also care shall be taken that the same comparative value shall be assigned to the importance of different branches of knowledge in the final examination held in each part of the United Kingdom, and that for that purpose the same maximum number of marks shall be assigned to the same branch of knowledge in such examination.")

Clauses, as amended, *agreed to.*

Clause 11 *struck out.*

Clauses 12 and 13 *agreed to.*

Clause 14 (Establishment of Medical Council).

On the Motion of the Lord President, Amendments made in page 7, line 11, after ("due") by inserting ("supervision and"); in page 8, line 24, by leaving out ("fourth or"); in line 26, by leaving out ("fourth or").

Clause, as amended, *agreed to.*

Clause 15 (Duties of Medical Council).

On the Motion of The Lord President, Amendments made in page 8, line 37, by leaving out from ("in") to

(" visit ") in line 38, both inclusive, and inserting (" have power "); in line 38, after (" to time ") by inserting (" by visitation or otherwise, to inquire into the sufficiency of "); in lines 39 and 40, by leaving out (" and inquire into the sufficiency thereof "); in line 40, by inserting as a separate paragraph—

(" The Medical Council may also make inquiries of and call for any information from any of the medical boards constituted by this Act, also from any medical authority or medical school, or other medical body taking any part in any medical examination or medical education in pursuance of this Act.")

Clause, as amended, *agreed to.*

Clauses 16 to 19, inclusive, *agreed to.*

Clause 20 (Medical Board to regulate course of medical education subject to control of Medical Council and Privy Council).

LORD BALFOUR moved, in page 11, line 4, after (" elsewhere ") to insert—

(" Provided always that examinations passed at a university preceding the final examination required by this Act, if satisfactory to the Medical Council, shall be received by the Medical Board in lieu of like examinations conducted by the Board.")

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, he did not regard the provision as necessary, or he would accept it at once. If he did accept it, he would have to extend it to all the Corporations. He might, however, point out that a satisfactory provision was already made in an earlier portion of the Bill.

Amendment (by leave of the House) *withdrawn.*

Clause *agreed to.*

Clause 21 (Medical Board to visit schools and examinations).

On the Motion of The Earl of MILLTOWN, Amendment made, in page 11, line 22, after (" authority ") by inserting—

(" The order of the Board on this behalf being subject to appeal on the part of such examining authority or medical school to the Medical Council, and afterwards to the Privy Council.")

Clause as amended, *agreed to.*

Clause 22 (Registration of colonial practitioner with recognized diploma).

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, he had several verbal Amendments to propose, with the object of taking care that foreign countries, or colonies, should not make use of the powers contained in the Bill for the purpose of obtaining the advantages therein without giving this country corresponding advantages.

Amendments *moved,*

In page 11, line 25, leave out (" appointed ") and insert (" prescribed "); in line 28, after (" possession ") insert (" to which this Act applies "); in line 35, leave out (" appointed ") and insert (" prescribed "); and in line 38, leave out (" appointed ") and insert (" prescribed.")—(*The Lord President.*)

THE MARQUESS OF SALISBURY said, he was much struck with the reference to the principle of reciprocity. He had no doubt they would get to fair trade in time. He also wished to point out a great grievance in the fact that some drugs were absolutely prohibited in foreign countries, not because they were bad, but because they were prepared out of the country. He thought it might be possible to remedy this defect.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, he did not think they had anything to do with drugs in the Bill. If he had charge of a Pharmaceutical Bill in the course of the Session, he would bear the matter in mind.

Amendments *agreed to.*

Clause 23 (Registration of foreign practitioner with recognized diploma).

On the Motion of The LORD PRESIDENT, Amendments made in page 12, line 6, by leaving out (" appointed ") and inserting ("prescribed "); in line 8, after (" country ") by inserting (" to which this Act applies "); in line 23, by leaving out (" appointed ") and inserting (" prescribed "); in line 25, by leaving out (" appointed ") and inserting (" prescribed ").

Clause, as amended, *agreed to.*

Clause 24 (Medical diploma of colonial and foreign practitioner when deemed to be recognized).

On the Motion of The LORD PRESIDENT, Amendments made, in page 12, line 28, after (" possession ") by inserting (" to which this Act applies ") and after (" country ") by inserting (" to which this Act applies ").

Clause, as amended, *agreed to.*

Clause 25 (Privileges of colonial practitioner).

On the Motion of the Lord President, Amendments made, in page 13, line 13, by leaving out ("shall") and inserting—

"To which this Act applies shall, if he is qualified to hold such appointment by the law of such British possession;"

in page 13, after Clause 25, by inserting as a New Clause—

(Power of Her Majesty in Council to define colonies and foreign countries to which this Act applies.)

("Her Majesty may from time to time by Order in Council declare that this part of this Act shall be deemed on and after a day to be named in such order to apply to any British possession or foreign country which in the opinion of Her Majesty affords to the resident medical practitioners of the United Kingdom such privileges of practising in such possession or foreign country as to Her Majesty may seem just; and from and after the date of such Order in Council such British possession or foreign country shall be deemed to be a British possession or foreign country to which this Act applies within the meaning of this part thereof; but until such Order in Council has been made in respect of any British possession or foreign country this part of this Act shall not be deemed to apply to any such possession or country; and 'the prescribed day' as used in this part of this Act means as respects any British possession or foreign country, the day on and after which this part of the Act is declared by Order in Council to apply to such British possession or foreign country;")

in page 13, by leaving out Clause 26.

Clause 27 *agreed to.*

Clause 28 (Penalties on misuse of medical titles).

Lord CARLINGFORD (Lord President of the Council) moved, in page 14, line 37, after ("not") insert—

("Who practises for gain, or professes to practise, or publishes his name as practising medicine or surgery, or receives any payment for practising medicine or surgery.")

Lord MOUNT-TEMPLE said, the Amendment was too stringent.

Lord CARLINGFORD (Lord President of the Council) said, the Amendment was really in the nature of a relaxation.

Amendment *agreed to.*

Clauses 29 to 32, inclusive, *agreed to.*

Clause 33 *struck out.*

Clauses 34 to 37, inclusive, *agreed to.*

Clause 38 (Expenses of Act, and funds to meet such expenses).

On the Motion of The Lord President, Amendment made, in page 21, line 10, by inserting, as a separate paragraph:—

"(4. The expenses of maintaining any such medical museums and medical libraries belonging to any medical authority for the time being authorised to return a member to the medical board, as may before the passing of this Act have been ordinarily maintained for general public purposes by such authority in their capacity of grantors of qualifications for registration under the Medical Act, 1858, and have been so maintained out of fees paid by applicants for such qualifications, and may be of such importance to the promotion of knowledge in medicine or surgery as to deserve to be maintained out of the funds of the Medical Board.")

Lord BALFOUR moved, in page 22, line 24, after ("determine") to insert—

("The fee to be paid by University graduates, or persons holding University certificates of having passed the examinations at their University qualifying for admission to the final examination of the Medical Board in medicine, surgery, and midwifery, and shall not exceed their proportion ot the sum sufficient to cover the cost of the final examination of the Medical Board.")

His object was to carry out the recommendation of the Royal Commission to prevent students from being unduly taxed, for instance, for museums and libraries.

The Earl of CAMPERDOWN said, that the noble Lord had only partly adopted one of the resommendations of the Royal Commission. He thought it ought to be taken in its entirety, and therefore moved to add to the Amendment the words "and other expenses aforesaid."

Lord CARLINGFORD (Lord President of the Council) agreed with the principle that persons coming from a University to a final examination ought not to be expected to contribute by their fees to support the libraries and museums of institutions with which they had nothing to do.

Earl CAIRNS thought that if the Amendment were amended as suggested by the noble Lord, "the other expenses" might be held to include those which admittedly University candidates ought not to pay.

Lord CARLINGFORD (Lord President of the Council) said, he would give the question careful consideration before Report, and amend the clause if necessary, in accordance with the principle he had stated. If the noble Lord's Amendment were adopted *simpliciter* it would, he said, prevent University candidates being charged anything more than the bare expenses of the examination.

Amendment (by leave of the Committee) *withdrawn.*

Clause, as amended, *agreed to.*

Clauses 39 to 46, inclusive, *agreed to.*

Clause 47 *struck out.*

Remaining clauses *agreed to.*

The Report of the Amendments to be received on *Thursday* next, and Bill to be *printed,* as amended. (No. 36.)

### CHANNEL TUNNEL—THE JOINT COMMITTEE.

Joint Committee with the House of Commons on; the Lords following were named of the Committee:

| | |
|---|---|
| Lansdowne, M. | Aberdare, L. |
| Devon, E. | Shute, L. |
| Camperdown, E. | |

Ordered, That such Committee have power to agree with the Committee appointed by the Commons in the appointment of a Chairman:

Then a Message was ordered to be sent to the House of Commons to propose to them that the Joint Committee do meet in Room B., *To-morrow,* at Three o'clock.

House adjourned at half-past Seven o'clock, till To-morrow, a quarter past Ten o'clock.

---

# HOUSE OF COMMONS.

*Thursday,* 19*th April,* 1883.

MINUTES.]—Public Bills—*Ordered—First Reading* — Pier and Harbour Provisional Orders * [147].

*Second Reading*—Lord Alcester's Annuity [145]; Lord Wolseley's Annuity [146].

## QUESTIONS.

### MADAGASCAR—DUTIES ON RUM.

MR. BUXTON asked the Under Secretary of State for Foreign Affairs, Whether it is a fact that Tamatave, the principal port of Madagascar, is supplied, to an enormous extent, with inferior and poisonous rum from Mauritius, for which no other market can be found; whether it has been the cause of general and disgusting intoxication throughout the town and neighbourhood; whether the Hova Government formerly imposed a duty of thirty-three per cent. on the importation, and was only compelled by English and other consular pressure to reduce such duty to ten per cent.; and, whether Her Majesty's Government will now, either by means of a similar Treaty to that just concluded with Siam, or in some other way, give some assistance and support to the Hova Government in their desire to recur to the former or even some higher scale of import duties on such rum?

LORD EDMOND FITZMAURICE: I regret to say that it is a fact that a large quantity of inferior rum is imported into Madagascar from Mauritius; and it has, no doubt, been the cause of the evils to which my hon. Friend refers. The lowering of the rate of import duty on rum appears to have been chiefly owing to the voluntary action of King Radama II. The question is at this moment the subject of negotiation with the Hova Government.

### EDUCATION DEPARTMENT—DOUBLE FEES—BRIDGNORTH UNION.

MR. H. H. FOWLER asked the Vice President of the Council, Whether a representation has been made to the Education Department on behalf of the School Attendance Committee of the Bridgnorth Union, stating that the managers of the only available school in one of the parishes in that Union charge a fee of sixpence instead of threepence per week for each child of a parent whose employers do not subscribe to the funds of the school; whether this infliction of a fine upon labourers because their employers decline to support a school belonging to the Church of England meets with the approval of the Department; and, whether, if it does not, they will bring pressure to bear upon the managers of the school in question, in order to place all the children attending a school receiving Government grants upon equal terms?

MR. MUNDELLA: The facts as stated in the Question of the hon. Member are substantially accurate, except that the complaint refers to a single case—that of a farm bailiff—whose employer refuses to contribute to the only public elementary school within accessible distance. The Education Department holds that double fees ought not to be charged to parents whose employers refuse to contribute to voluntary schools, and we have called on the managers in this case to admit the children at the ordinary fee.

### ENDOWED SCHOOLS ACTS—THE CHARITY COMMISSIONERS.

Mr. BUCHANAN asked the Vice President of the Council, Whether his attention has been called to the following passage at page 15 of the Charity Commissioners Report:—

> "The Endowments with which we have been called upon to deal in establishing schools of the type referred to, may be taken mostly to have been given for the benefit of the poor, and we have not unfrequently been met in these cases with a strenuous opposition on the ground that our proposals tend to alienate from the poor funds that were originally expressly intended for their advantage. But under the provisions of the Endowed Schools Acts we are bound in any scheme by which modifications of the original trusts such as those there indicated are introduced, to pay due regard to the educational interests of the poor for whose benefit the Endowments were given, and in conformity with the tenor of judicial decisions, the establishment of scholarships tenable by scholars from Elementary Schools is held to be a sufficient compliance with this obligation;"

whether he will cause a Return to be presented containing a list of the schemes which have been opposed on the above ground, the amount of the Endowments in each case devoted to the "benefit of the poor" before the schemes of the Commissioners came into operation, and the amount set apart under such schemes for "scholarships tenable by scholars from Elementary Schools;" and, whether he will state what are the judicial decisions referred to according to the tenor of which such disposition of the funds is held to be a sufficient compliance with the provisions of the Endowed Schools Acts?

Mr. MUNDELLA: In reference to the Question of my hon. Friend, I am requested by the Church Commissioners to say that the meaning of the words "strenuous opposition" in the passage quoted from their recent Report, appears to be misapprehended. It is intended to imply such opposition as may be offered in the course of official negotiation and correspondence, not such as takes the form of an appeal to Her Majesty in Council or in Parliament. In this latter sense, opposition to schemes on any ground is exceedingly rare. In the sense intended by the Commissioners it would be impossible to state in a Return such facts as are asked for in the second paragraph of the Question. In reply to the third and last paragraph of the Question, I am requested to say that the judicial decision, on which the Commissioners principally rely, was given in the case of the appeal of the Corporation of the City of London against the scheme of the Endowed Schools Commissioners for Emanuel Hospital. I may add that in my own experience during the past three years, out of about 150 schemes that have passed through my hands, not more than two or three have been objected to on the grounds referred to by my hon. Friend, and in every case it would have been injurious to the best interests of the poor to have set aside the recommendations of the Commissioners.

### SCOTLAND—THE EXTRACTOR'S OFFICE —THE "REGISTER OF ACTS AND DECREETS, 1880."

Dr. CAMERON asked the Lord Advocate, Whether his attention has been called to a detached analysis of Extracts contained in the first, second, and last volumes of the "Register of Acts and Decreets, 1880," which has been sent to certain Members of this House, and which purports to show that an excess charge, beyond what the Law allows, has been made, on the extracts referred to in the first volume, to the extent of 304 pages, in the second volume of 269 pages, and, in the last volume, of 327 pages; whether he has taken steps to ascertain whether the overcharge alleged was made in all or a large proportion of the 314 instances specified; and, if so, whether he proposes to exercise the powers conferred on him by the Act 1 and 2 Vic. c. 118, s. 30, to put an end to the system, and punish the persons who have practised it?

The LORD ADVOCATE (Mr. J. B. Balfour): The Extractor's Office has very recently been made the subject of an inquiry, and I understand that the Treasury, who have had these extracts before them, have drawn up regulations for the guidance of the Extractor, which have been communicated to the Lord President of the Court of Session, and, if approved of by him, will immediately come into force, and will, I think, place the Office on a satisfactory footing for the future. I cannot speak to the precise accuracy of the extracts referred to; but there appears to have been some laxity of practice. For this the excuse is made that the number of words in a page, and the copying fees, are fixed by statute, at rates much more unfavourable to the clerks than those which now prevail in similar offices. It is right also to say that these copying fees are paid in cash by the public, who have the means of checking and complaining of any overcharge. No complaint, so far as I know, has ever been made by the public or any of the legal bodies; and the preparation and circulation of these extracts is part of a series of attacks upon the Extractor by a person who was formerly an official, but who, having been found to be guilty of dishonesty, was afterwards dismissed, and who has since been making unsuccessful applications to be re-instated.

### THE IRISH LAND COMMISSION (SUB-COMMISSIONERS)—COLONEL BAYLEY.

**Captain AYLMER** asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true that Colonel Bayley has recently been removed from discharging the judicial functions of a Sub-Commissioner in the county of Donegal; whether he is aware that, previous to his removal, a meeting on the 22nd February was held at the Court House, Hamilton, largely attended by the tenant farmers of the neighbourhood for the express purpose of impugning the judicial decisions of Colonel Bayley, and that at this meeting the chief personal assailant of Colonel Bayley was Mr. Mackay, a solicitor, who admitted in his speech that he appeared in twenty-five cases, the decisions of which he called in question, as counsel for the the tenants, and who concluded his speech, reported in the "Derry Journal" of February 23, as follows:—

> "I therefore charge the cause of the distrust and of this meeting on Colonel Bayley, who has attained such notoriety in another part of Ireland, and I would therefore urge that our representatives in Parliament be called upon to use their influence, in having us relieved of that gentleman's services in connection with fixing fair rents in Ulster?"

**Mr. TREVELYAN**: It is true that, among other changes made at the commencemen of the present Circuits, Colonel Bayley has been removed from the county of Donegal to another district, the Land Commissioners using their own discretion in allotting Assistant Commissioners to different districts. The Commissioners inform me that until they received notice of this Question they were unaware of the meeting referred to having been held, and the speeches made at it could not, therefore, have influenced them with regard to the transfer of Colonel Bayley.

**Captain AYLMER**: This being such a serious case, and a very gross action on the part of the Government, I shall call the attention of the House to it on the earliest opportunity.

### EXECUTIVE GOVERNMENT (IRELAND)—THE OFFICE OF LAW ADVISER.

**Mr. PATRICK MARTIN** asked the Chief Secretary to the Lord Lieutenant of Ireland, When, and under what circumstances, was the office of Law Adviser created; what were the duties imposed on that officer, and were the same regulated by any minute or how otherwise; and, is the present discharge of the special duties of that officer by the Solicitor General for Ireland, now prescribed by any order, or minute, or how otherwise?

**Mr. TREVELYAN**: The office of Law Adviser was not created by the Crown, and no definite record can be found to show how it originated; but the result of the search made shows that from the year 1803 onwards to 1849 occasional payments were made to a member of the Bar for assistance given to the Attorney General in legal matters. In the year 1849 a salary was first provided, and the office gradually developed into the position which it has recently held. The duties are not defined by minute or otherwise, and no minute or order has been made prescribing their discharge by a Law Officer.

**Mr. PATRICK MARTIN**: Has no order been made prescribing their discharge by the Solicitor General?

**Mr. TREVELYAN**: No, Sir; no order has been made to that effect.

### AFRICA (RIVER CONGO)—ACTION OF PORTUGAL.

**Baron HENRY DE WORMS** asked the Under Secretary of State for Foreign Affairs, Whether it is the fact, as stated in the "Observer" of April 15th, that an arrangement has been arrived at between Her Majesty's Government and that of Portugal with regard to the Congo question; and, if so, whether he will state what is the nature of the arrangement referred to; whether Her Majesty's Government have received any confirmation of the statement in the telegrams of April 16th, to the effect that the Portuguese authorities at Ambriz—

> "Are levying fresh duties and taxes, which have made it impossible to do business;"

that—

> "The Chiefs and Natives had intimated their firm determination to resist to the utmost any attempt to take illegal possession of their Country;"

and that a Portuguese war vessel, and Portuguese gunboats, are stationed on the Congo; and, whether he will state what steps, if any, have been taken by Her Majesty's Government to protect British commerce in the Congo district?

**Lord EDMOND FITZMAURICE**: The statement in *The Observer* is incorrect. Her Majesty's Government have not received any confirmation of the statement referred to, as to the levying of fresh duties and taxes at Ambriz, or the alleged determination of the Natives to resist any attempt to take their country. I may remind the hon. Member that Ambriz is an acknowledged Portuguese possession. As far as Her Majesty's Government are aware, there are only two Portuguese gunboats stationed in the Congo. The Portuguese Government have engaged not to send any ships of war to the Congo pending the conclusion of the negotiations, and this engagement still holds good. As regards the protection of British interests in the Congo, it was the intention of the Admiral commanding on the West African Station to visit Loanda last month, and he has been instructed to send a ship of war to the Congo from time to time.

## MERCHANT SHIPPING—LOAD-LINE OF SHIPS.

**Mr. GOURLEY** asked the President of the Board of Trade, If, in addition to the regulations set forth in the Board of Trade Circular of the 10th April, in which the Board undertake to assign and mark the load-line of steamships for summer and winter, if he will be good enough to inform the House what months are to be scheduled as those of winter and summer in the United Kingdom and other parts of the world; and, if he intends issuing a similar circular for the regulation of the loading of sailing vessels?

**Mr. CHAMBERLAIN**: The hon. Member, I think, is under some misapprehension. The Board of Trade do not undertake to assign and mark the load-line of steamships; but they have thought it desirable to collect information, both with regard to sailing and steam vessels, as to the existing load-line marked by the owners, and also as to what would be the load-line under the rules of Lloyd's Registry, and under the rules initiated by the Board of Trade. We think that when the information is collected, it will be extremely valuable and suggestive. As regards the second Question, I would remind the hon. Member that the time of summer and winter varies in different parts of the world. In the United Kingdom the winter is reckoned to begin on the 1st of October, and to last until the 1st of April. The hon. Member will see that paragraph 10 of the Circular speaks of summer weather and winter weather as the guide for a summer or winter freeboard.

## POST OFFICE (TELEGRAPH DEPARTMENT)—TELEGRAPH MESSENGERS.

**Mr. T. D. SULLIVAN** asked the Postmaster General, Whether it is his intention to place the postal telegraph messengers on the same arrangement as the letter carriers with regard to the good conduct allowance for certain periods of service; what number of telegraph messengers have been promoted to the position of letter carriers during the last five years at Belfast, Galway, Sligo, Mullingar, Athlone, and Billinasloe; and, whether the service of those persons previous to such promotion will be counted for them, under the good service system, in their present capacity of letter carriers?

**Mr. FAWCETT**, in reply, said, telegraph messengers would not be eligible for the good conduct stripes. During the last five years 16 telegraph messengers had been raised to the rank of letter carriers in Belfast, three in Sligo, and two in Mullingar. In Athlone there had been no promotion; but there was only one telegraph messenger there. The service of telegraph messengers would not count as service which entitled letter carriers to receive good conduct stripes.

### AFRICA (WEST COAST)—ASHANTI.

Sir HENRY HOLLAND asked the Under Secretary of State for the Colonies, Whether any official information has been received as to the state of affairs in Ashanti; and, if so, what is the nature of such information?

Mr. EVELYN ASHLEY: We have received from Sir Samuel Rowe, Governor of the Gold Coast, a despatch stating that it appeared, from news arrived, that the rebellion had become general in Ashanti. He further adds that 33 Chiefs, with followers estimated at about 6,000, having revolted against King Mensah, had applied to be received within the British Protectorate. The Governor, who is a man of great experience, has merely reported these facts and his intention of sending another despatch on the subject, and we are awaiting his further Report.

### PARLIAMENT—PALACE OF WESTMINSTER—THE STATUES IN WESTMINSTER HALL.

Mr. BROMLEY-DAVENPORT asked the First Commissioner of Works, If he will consider whether Westminster Hall would not be much improved by the removal of the marble statues now standing there on wooden pedestals?

Mr. SHAW-LEFEVRE: I am not able to make any proposal to the House on the subject.

### INDIA—VACCINATION.

Mr. P. A. TAYLOR asked the Under Secretary of State for India, Whether it is the fact that the High Court of Madras has lately decided a Case on Appeal, to the effect that compulsory vaccination is illegal, the judges declaring that it is quite optional to a parent whether his children shall be vaccinated, and that it is not lawful to dissuade others from suffering their children to undergo the operation?

Mr. J. K. CROSS, in reply, said, the decisions of the High Courts in India were not usually reported to the Secretary of State, and he could find no trace of the case referred to by his hon. Friend. If his hon. Friend would give him his authority for the facts on which his Question was founded he would inquire into their accuracy.

### THE NAVAL PENSIONS COMMITTEE.

Mr. W. H. SMITH asked the Secretary to the Admiralty, If the statements which appeared in the "Army and Navy Gazette" of Saturday last, as to the conclusions arrived at by the Naval Pensions Committee are correct; whether the Admiralty have adopted the recommendations of the Committee; if it be true that it is proposed now to require blue jackets who have served for ten years to re-engage for a period of twelve years, instead of ten, as heretofore, to enable them to claim a pension; and, whether, as the Report of the Committee has appeared in detail in the newspapers, it will now be presented to the House?

Mr. CAMPBELL-BANNERMAN: The Report of the Pensions Committee is a confidential Paper, submitted by a Departmental Committee for the information and assistance of the Admiralty, and there is no intention to make it public. I can only conjecture that a copy has been improperly obtained, from which the writer of the article alluded to by the right hon. Gentleman has compiled his account of the Committee's conclusions. I have not compared the statements in the article with the text of the Report, so as to be able to say whether they are accurate; but in regard to the particular matter of the length of service of seamen, the article, as I stated on Tuesday last, in answer to the hon. and gallant Member for East Derbyshire (Admiral Egerton), entirely misrepresents the intentions of the Admiralty, as announced by me when introducing the Navy Estimates.

### MINES REGULATION—EMPLOYERS' LIABILITY ACT.

Mr. BURT asked the Secretary of State for the Home Department, Whether it is true that he has sanctioned an alteration in the special rules of the Barrow Hematite Collieries, Yorkshire, so that in future men may descend the pit in one cage while others are ascending in the other; whether he is aware that the miners strongly object to this change, believing that it is attended with increased dangers; and, whether, in case of accident resultiug from this change, the workmen will be deprived of compensation under sub-section 2 of section 2 of the Employers' Liability Act, which relieves an employer of liability for accidents caused by the defect or impropriety in a rule or bye-law, provided such rule or bye-law has been approved or accepted by one of Her Majesty's Principal Secretaries of State ?

Sir **WILLIAM HARCOURT**: The alteration in the rule was made in consequence of the Report of the Inspector. It has been considered that the alteration is more advantageous than the other arrangement; but I shall be very happy to communicate with my hon. Friend, and to have the whole matter reconsidered.

## POOR LAW (IRELAND) — BELFAST WORKHOUSE—APPOINTMENT OF A CHAPLAIN.

Lord **ARTHUR HILL** asked the Chief Secretary to the Lord Lieutenant of Ireland, On what grounds, and at whose instigation, the Local Government Board have set aside the election, by the Belfast Board of Guardians, of the Rev. S. M'Comb to the Presbyterian Chaplaincy at the workhouse, and appointed the Rev. M. Montgomery?

Mr. **TREVELYAN**: It is not strictly accurate to describe the action of the Local Government Board in this matter as "setting aside the election by the Guardians." The Guardians have no power to elect, the appointment being vested by law solely in the Local Government Board. It is true that the Guardians passed a resolution in favour of the Rev. Mr. M'Comb; but the Local Government Board could not acquiesce in their views on the subject, and in selecting the Rev. Mr. Montgomery they arrived at their decision after a careful consideration of the claims, merits, and testimonials of the several candidates. I am told that at the Board of Guardians the Presbyterian feeling was decidedly in favour of Mr. Montgomery, though not unanimous. He was recommended by the Moderator of the General Assembly, and by the Moderator of the Belfast Presbytery, and he discharged the duties satisfactorily while acting as *locum tenens* during the illness of the late Presbyterian chaplain. His house is also close to the workhouse.

## METROPOLITAN DISTRICT RAILWAY —THE VENTILATORS ON THE VICTORIA EMBANKMENT.

Lord **ALGERNON PERCY** asked the Chairman of the Metropolitan Board of Works, Whether the attention of the Metropolitan Board of Works has been directed to the operations of the Metropolitan District Railway Company at Westminster Bridge Station, with the object of covering over a portion of the Station at the eastern end, and thus diminishing the space at that Station available for the ventilation of the Railway, and if he can acquaint the House with the facts; and, whether this Company is the same Company which has recently erected ventilating shafts in the streets, and on the Victoria Embankment, and what is the distance of the nearest ventilator from Westminster Station ?

Sir **JAMES M'GAREL-HOGG**: In reply to my noble Friend, I beg to say that I have observed that the District Railway Company are fixing iron girders over the opening at the eastern end of the Westminster Station, with the intention, as I am informed, of erecting heavy buildings upon them. I must confess my surprise that, after appropriating land belonging to the public for the purposes of ventilation, they should proceed to curtail the means already existing on their own property. The nearest ventilator on the Embankment is at a distance of about 220 yards from the Station, and the nearest in the direction of Westminster, opposite the Abbey, is about 200 yards distant. I may add that the framework of the girders at present covers a space of about 700 square feet, which, when closed in, will abstract a ventilating area equal to twice the area of the ventilator now being added in the Embankment roadway opposite Montague House.

## PREVENTION OF CRIME (IRELAND) ACT, 1882—SEC. 16—PRIVATE EXAMINATION OF WITNESS — RETURN OF PERSONS CONFINED FOR REFUSING TO GIVE EVIDENCE.

Mr. **O'BRIEN** asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he will lay upon the Table of the House a Return of persons detained in prison in Ireland without trial for alleged refusal to answer questions put to them during secret magisterial inquiries in Dublin Castle and elsewhere, together with Copies of the questions which these witnesses declined to answer, and of any Statement made by them in explanation of their refusal?

Mr. TREVELYAN: Three persons were committed in Dublin under the circumstances alluded to in the Question—namely, Timothy Kelly for one day, Christopher Flynn for seven days, and John Taaffe for seven days. The two latter have been discharged. Kelly is now in custody upon another and more serious charge. One man, Michael M'Bride, was committed for 14 days in Londonderry. He also has been discharged. In addition to these I believe there was one other case, in connection with the Crossmaglen conspiracy, the particulars of which I have not at present before me. I do not think I need furnish any further Return of the names of the parties imprisoned unless the hon. Member presses for it. I cannot undertake to lay on the Table a Return of the questions which the witnesses refused to answer.

Mr. O'BRIEN: Will the right hon. Gentleman have any objection to inform the House for what reason an official shorthand writer is not present during the whole of these examinations of witnesses; or why, having been admitted to portions of these examinations, they should be excluded from other portions?

Mr. TREVELYAN: Well, Sir, I must leave hon. Members to conjecture for themselves why certain parts of the proceedings are conducted in private.

## STATE OF IRELAND—EXTRA POLICE, CO. CLARE.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the extra police tax on the parish of Clooney, county of Clare, amounts to £91 per month; whether it is the fact that Mr. Clifford Lloyd declared in December last that, if the district continued peaceable, the extra taxation would not be levied; and, whether the peaceful condition of the district since that time does not warrant the remission of the tax and the withdrawal of the extra police force?

Mr. TREVELYAN: The cost per month for the extra police was at the rate of about half the amount stated. The sum of £91 was for a month and a-half, and included travelling expenses and marching money, which will not be again charged until the men are withdrawn. The declaration made by Mr. Clifford Lloyd in December last was not of the character described in the second paragraph of the Question. What occurred was this. A respectable man, while standing at his own door in broad daylight, was fired at twice by men who went deliberately up to him for the purpose. A number of persons were about, and saw the shots fired, but no effort was made to follow or capture the men who fired them, or assist the police to trace or capture them. Mr. Clifford Lloyd invited the co-operation of the people with the police in the detection of this and other crimes, and such co-operation was promised, but no effort was made to give it. The promise made by Mr. Clifford Lloyd was that, if such assistance was given by the people of the parish, he would recommend to the Lord Lieutenant the reduction of the extra police, not the remission of the sum levied. Their presence is still required for the protection of the man whose murder was attempted, and they cannot at present be withdrawn.

## PREVENTION OF CRIME (IRELAND) ACT, 1882—SECTION 14—SEIZURE OF DOCUMENTS.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the fact that the house of William Kennedy at Kildonery, county Cork, was searched on April 2 by Sub-Inspector Carter and a party of police who seized and carried away a private letter from Kennedy's brother and a memorandum containing business entries made by himself while detained in Clonmel Gaol as a suspect under the Peace Preservation Act; whether there is anything of an illegal character in these documents; and, if so, what; and, whether such an abstraction of documents disclosing the private business affairs of persons obnoxious to the police is an abuse of the power of search for illegal documents under section 14 of the Prevention of Crime Act?

Mr. TREVELYAN: It is a fact that William Kennedy's house was searched, and two small copybooks and a private letter taken away, which it is believed will be of importance in tracing the perpetrators of crime. With regard to the business entries referred to, I am informed that there were three only, of an unimportant character, and that Kennedy can have them back if he wishes, as also the private letter mentioned. There was no abuse of the power of search, which was strictly exercised in the view of the purposes for which it was enacted by Parliament.

Mr. O'BRIEN: Is it a fact that search was made in different parts of his house at the same time, in spite of Kennedy's protest against not being afforded an opportunity of seeing the papers actually seized?

[No reply was given.]

## PREVENTION OF CRIME (IRELAND) ACT, 1882—DEFENCE OF PRISONERS—COLLECTION OF VOLUNTARY SUBSCRIPTIONS.

Mr. T. P. O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the action of the constabulary in Loughrea, in threatening persons engaged in the collection of money for the purpose of obtaining a fair trial for prisoners now confined in Galway Gaol; and, whether the opinion, expressed by the police that such a collection of voluntary subscriptions subject to indictment under the Crimes Act was authorised by the authorities?

Mr. BIGGAR also asked, Is it a fact that at Loughrea the police have warned Mr. M'Clennan, P.L.G. that if he continues to collect money to defend prisoners, he will be prosecuted; and, if the fact alleged is true, will he be good enough to state under what Law has an offence been committed?

Mr. TREVELYAN: This is a serious Question, as it relates to a locality where very serious events have occurred. The House is aware that within a period of one year eight deliberate murders were committed in the neighbourhood of Loughrea. A movement, I am informed, has lately been started there by persons strongly suspected of being members of a secret society for purposes of murder, and who have been in prison on suspicion of murder, for the purpose of collecting funds for the defence of all persons arrested and charged with crime. It was resolved to make a house-to-house collection about the country; and it is believed that the terror exercised by these persons is such that the farmers dare not refuse, although unwilling to give the money. The fact of such men demanding money is of itself intimidation when made to defenceless farmers. Michael M'Clennan, one of the collectors, was warned by the police to desist upon the foregoing grounds.

Mr. T. P. O'CONNOR: I think the right hon. Gentleman will find that the intimidation of which he speaks exists only in his own imagination. ["Order!"] I wish to ask him, if a single farmer in the locality has complained of being intimidated by persons engaged in the collection of this money; and I would ask him, further, whether the collections were not usually made by ladies, who could not be supposed to intimidate farmers?

Mr. TREVELYAN: Yes, Sir; farmers have complained of being intimidated.

Mr. T. P. O'CONNOR: By the collectors of this fund?

Mr. TREVELYAN: They have complained of being intimidated, and they are anxious that this collection should not go on. The state of Loughrea is probably worse than any other district in Ireland, and the measures that have been taken there are the very minimum of what are required for preserving the peace of the district.

## LAW AND JUSTICE—ALLEGED LARCENY BY "A TUTOR."

Mr. M'COAN asked the Secretary of State for the Home Department, Whether his attention has been called to a sentence passed by the Oundle bench of magistrates on Thursday last, when Mr. George Gardiner, a tutor in the family of Mr. Monckton, J.P. was charged with "stealing" a jug of beer, valued at 6*d.* from the cellar of that gentleman, in view of the butler, and sentenced to six weeks' imprisonment for the offence; and, whether, having regard to the relation of the parties, he will interpose his authority to mitigate the severity of such a sentence?

Sir WILLIAM HARCOURT: The author of this newspaper paragraph does not seem to have been aware that in a large establishment the "odd man" is called the "Usher of the Hall;" and, consequently, the odd man has become in this newspaper paragraph a tutor. This is an instance of the way in which sensational paragraphs are manufactured. Well, then, as to this "tutor," who was really the odd man, It was found that there had been great depredations in the beer cellar, and that he had laid the blame upon the butler; but the butler hid himself behind the beer barrel, and he found the odd man or "tutor" stealing the beer, which he put into bottles and carried away. The "tutor" made his escape through a hole in the wall, but was followed and taken by the police, and he was brought before the magistrates, and, as I think, very properly, sentenced to six weeks' imprisonment. It was an ordinary case of theft by a servant, and this is the way in which newspapers paragraphs are manufactured, to create prejudice of this kind, and of which I have had, I may say, thousands of complaints.

## ARMY—THE LATE CAMPAIGN IN THE TRANSVAAL—RECOGNITION OF MILITARY SERVICES.

Sir HENRY FLETCHER asked the Secretary of State for War, If it is the intention of Her Majesty's Government to confer a medal or decoration on the Officers, Non-Commissioned Officers, Privates, and Volunteers who held most gallantly, for a period of about one hundred days, the towns and garrisons of Pretoria, Standerton, Potchefsturm, Rustenberg, and other places, during the late Transvaal War, and handed over to the British Government the same garrisons and places at the conclusion of the peace?

The Marquess of HARTINGTON: A Question on this subject was addressed to my Predecessor by the right hon. Baronet the Member for East Gloucestershire (Sir Michael Hicks-Beach) on the 10th of February, 1882. The reply then given was that the recognition of the gallant conduct of the troops who defended the various garrisons in the Transvaal during the operations against the Boers had been under consideration, and that the proposals and recommendations were being dealt with. The following honours and distinctions have been awarded for the operations against the Boers:—One Companionship of the Bath, six Victoria Crosses, and 23 distinguished conduct medals. It is not intended to reverse the decision which was arrived at by His Royal Highness the Commander-in-Chief and my right hon. Friend, which was adverse to the grant of a general decoration or medal for this campaign.

## BRAZIL—CHINESE COOLIES.

Mr. CROPPER asked the Under Secretary of State for Foreign Affairs, If Her Majesty's Government have any information from the Minister at Rio de Janeiro as to a gigantic scheme of emigration said to have been arranged by which Chinese Coolies are to be introduced into Brazil; and, whether a Treaty to this effect is about to be signed by the Marquis Tseng, on behalf of the Chinese Government, and on what conditions said Coolies are to be introduced into Brazil?

Lord EDMOND FITZMAURICE: No such scheme has been reported by Her Majesty's Minister at Rio, nor has Her Majesty's Government any knowledge that a Treaty of this nature is being negotiated by the Marquis Tseng, who is the Chinese Representative in this country.

## LAW AND JUSTICE (IRELAND)—THE GREEN STREET COURT HOUSE—ARRANGEMENTS FOR THE MURDER TRIALS.

Mr. O'BRIEN (for Mr. Mayne) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the fact that the Sub-Sheriff of the city of Dublin, acting upon the direction of the High Sheriff, protested against the order by which the regulation of admissions to the Green Street Courthouse was taken out of his hands by Mr. Jenkinson, and confided to the Chief Commissioner of Police; whether it is the fact that no intimation of this arrangement was conveyed to the City Sheriff until after cards of admission had been printed by him; and by what authority Mr. Jenkinson set aside an ancient privilege of the office of High Sheriff, despite the protest made on behalf of that officer; and, whether it is a fact that the charge of the juries in the Phœnix Park trials has been transferred from the City to the County Sheriff; and, if so, why there has been this departure from the rule that juries are given in charge to the Sheriff of the venue in which the trials take place?

Mr. TREVELYAN: Sir, the circumstances connected with the trials now proceeding in Green Street Court House were such as to render it incumbent upon the authorities that special care should be taken to secure the due accommodation and convenience of those persons whose duty it is to be there, and to prevent any attempt for rescue or revenge. I have already stated that, as I am informed, the arrangements were put under the control of the Chief Commissioner of Police with the concurrence of the Sheriffs. I cannot say whether, prior to this, cards of admission had been printed by the City High Sheriff; but Mr. Jenkinson informs me that he received no protest on the subject. I am advised that the juries were properly and legally given in charge by the County Sheriff, as the assassination for which the prisoners were being tried had been committed in the county.

Mr. O'BRIEN: If the County Sheriff was the proper person to take charge of the jury in this case, why was not the jury in the Hynes' case placed in charge of the High Sheriff of Clare, and the jury in the case of the Maamtrasna murders in the charge of the High Sheriff of Galway?

Mr. TREVELYAN: These murders were not committed in the county of Dublin.

## CRIME (IRELAND) — THE MURDER CONSPIRACY—THE ALLEGED "NUMBER ONE."

Sir HERBERT MAXWELL asked the Secretary of State for the Home Department, If his attention has been called to the following telegraphic news in the "Daily Telegraph" of the 17th instant:—

> "New York, April 16. The statement that Tynan, the notorious 'No 1' of the Invincibles, has gone to Mexico is unfounded. He is living in New York State with his family, and, though not courting observation, moves about freely under an alias;"

Whether he has any information as to its accuracy; and, if the information contained in it is correct, whether steps will be taken, or have been taken, to obtain the extradition of Tynan?

Sir WILLIAM HARCOURT: I must ask the hon Member not to press his Question, because I think that answering it now would be disadvantageous to the Public Service.

## THE UNITED KINGDOM — CULTIVATION OF TOBACCO FOR SALE BY FARMERS.

Lord JOHN MANNERS asked Mr. Chancellor of the Exchequer, Whether Her Majesty's Government are considering any measure for permitting the agriculturists of the United Kingdom to grow tobacco for sale?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): In answer to the noble Lord, I have to remind him that it is only a few days since I promised to look into this question, but I have had no time to do more than ascertain what had been done in former days; and although what I have read does not impress me with the probability of tobacco being cultivated in the United Kingdom without the aid of a heavy protective duty on imported tobacco, I will later in the year make further inquiries on the subject.

## INLAND REVENUE—THE COLLECTION OF INCOME TAX.

Mr. W. H. JAMES asked Mr. Chancellor of the Exchequer, What compensation will be given to present collectors of Income Tax under Schedules D and E, by reason of the duty and pay of which they will be deprived under his new proposals?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): If my hon. Friend will refer to Clause 15 of the Customs and Inland Revenue Bill, he will find full particulars of the basis of the compensation proposed to be given to collectors.

## LAW AND POLICE (IRELAND) — MR. GILLOOLY — IMPRISONMENT FOR PUBLIC SPEECH.

Mr. T. D. SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he will be pleased to remit the remainder of the term of imprisonment to which Mr. James Gillooly, of Bantry, was sentenced on the 22nd of February for an alleged intimidatory passage in a public speech, he having now undergone nearly two months' imprisonment, and the district being free from crime or disturbance?

Mr. TREVELYAN: It is not in my power to remit sentences of imprisonment; but I have consulted His Excellency the Lord Lieutenant, who informs me that he does not propose to interfere with the sentence passed by the magistrate in the case of Mr. Gillooly. At the time Mr. Gillooly and two other gentlemen were sentenced the Question was asked in this House, and it was stated that all possible mitigation would be conceded.

## MEDICAL APPOINTMENTS (IRELAND).

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, What is the reason of the delay which has taken place in filling up the vacancy in the medical officership of the Cashel and Grange Dispensary districts (county Tipperary), to which, notwithstanding articles 17, 18, and 20 of the general dispensary regulations (whereby it is positively ordered that each vacancy must be filled up within 18 days by the appointment of a person possessing certain defined qualifications), no duly qualified medical officer has yet, after a delay of four months, been appointed; why the Local Government Board have allowed an illegal appointment to said dispensaries, made so far back as the 14th of February, to remain as yet unquashed, though they have no power to sanction such appointment, and though the district remains in the charge of a "locum tenens" who is, by reason of his holding two other dispensaries, placed in circumstances which the Local Government Board themselves have in the case of the Athlone Dispensary districts expressly laid down as wholly unfitting him to discharge the duties of such a post; and, whether he will direct the Local Government Board to use the powers conferred on them by section 8 of 14 and 15 Vic. c. 68?

Mr. TREVELYAN: The Local Government Board inform me that there is no order in force prescribing that such vacancies shall be filled within 18 days. They further report that in the case of the appointment which was made at Cashel on the 14th February, the usual particulars as to age and qualification were not transmitted to them until the 3rd of this month, although the honorary secretary to the Dispensary Committee was pressed to forward them without delay. On receiving the particulars the Board found that the gentleman selected had not reached the prescribed age, and they accordingly refused to sanction his appointment, and instructed the Committee to proceed to a new election. The Local Government Board have no power, under the circumstances described, to take the appointment into their own hands under Section 8 of 14 & 15 *Vict.* c. 68.

## PREVENTION OF CRIME (IRELAND) ACT, 1882—SECTION 14—SEIZURE OF DOCUMENTS.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the papers and documents, the property of Mr. Matthew Harris, seized by sub-inspector Joyce and a party of police constables at Ballinasloe, seventeen days since, have been yet restored to Mr. Harris; and, if not, why they have been detained so long, and when they will be restored; why the search and seizure in question were undertaken and conducted by sub-inspector Joyce, of Ballinasloe, without the knowledge and sanction of his superior officer County Inspector Byrne, who is quartered in the same town; whether, as the search of Mr. Harris's papers was carried on at the same moment in different parts of his house, by a number of constables of police, and as the papers were removed, before they were fully examined, from under the control of Mr. Harris, the sub-inspector refusing to allow him to take any precaution by which he might afterwards identify them, the Irish Government will undertake, for the due protection of persons whose papers may be searched, that the search is so carried on as to allow the owner of the papers to observe the entire proceeding, that the owner may be allowed to put some distinguishing mark on any papers removed from his custody, and that time may be allowed him, before the search begins, to summon a legal or other friend to his assistance; and, whether the letter referred to by the Right honourable Gentleman as "bearing upon the charge of murder," was the same letter read by Mr. Henderson, Crown Solicitor, at an investigation in Galway Gaol on the 10th instant; and whether, if so, he adheres to his former description of a letter applying for a grant of money in aid of the defence of certain newspaper reporters accused of not leaving the scene of a prohibited public meeting when ordered by a magistrate to do so?

Mr. TREVELYAN: The papers have not been returned to Mr. Harris. The fullest inquiries have been proceeding since they were seized, and it is now considered probable that none of them will be returned. Search-warrants are addressed to Sub-Inspectors, who are empowered to execute them without previously informing their County Inspectors. Instructions have been given to the police to prevent, as far as possible, any inconvenience being given on the occasion of searches or the removal of papers further than is necessary; but I cannot give any undertaking such as is sought for in the third paragraph of the Question. With regard to the documents seized on this occasion, I must respectfully decline at present, in the interests of justice, to enter into any specific details with regard to any of them.

### LAW AND POLICE (IRELAND)—COST OF CONVEYING PRISONERS.

**Colonel COLTHURST** asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Government intend to assimilate the Law in Ireland with regard to the cost of conveyance of prisoners to that in England; and, if so, whether the moneys paid in excess under this head by several counties in Ireland since the passing of the Prisons Act (40 and 41 Vic.) will be refunded?

**Mr. TREVELYAN**: The points involved in this matter will receive consideration; but I am not at present in a position to make any announcement on the subject, or say whether the Government will think it proper to introduce any legislation on the subject.

### INDIA—RIOTS AT SALEM, MADRAS.

**Mr. O'DONNELL** asked the Under Secretary of State for India, Whether the Governor of Madras has recently drafted 200 extra police into the Salem District, and billeted them there at the cost of the inhabitants; whether this heavy cost to the Natives is in addition to the heavy fines levied on the participators in the late riots there; whether it is true, as stated in the Madras papers, that an official "reign of terror" exists in that district; and, whether he will cause immediate inquiries to be made should the Indian Office have no information on the subject?

**Mr. J. K. CROSS**: An additional police force of some 216 men has been temporarily employed in Salem, the cost of which will be defrayed from a local cess. This cess is wholly independent of any fine which may have been levied under judicial sentence upon persons convicted of participation in the late riots. *The Madras Times* of the 14th of March contains a communication from a correspondent, who speaks of a "reign of terror;" but what one man calls a reign of terror, another may consider a wholesome fear of the law. The Government of Madras have only taken such steps as appear to them necessary for the preservation of the peace. A despatch to the Government of Madras goes by to-morrow's mail, directing them to report on the whole subject of the Salem riots.

### AUSTRALIAN COLONIES — ANNEXATION OF NEW GUINEA BY QUEENSLAND.

**Sir GEORGE CAMPBELL** asked the Under Secretary of State for the Colonies, Whether Her Majesty's Government have any reason to believe that Her Majesty's Governor of Queensland was a party to the invasion of New Guinea; whether they have immediately repudiated the annexation of that island in the name of Her Majesty, or allowed it to stand till receipt of the despatch from Queensland; whether, in case the Governor was a party to the proceeding, he has been recalled; and, whether the Naval Officer in command of Her Majesty's vessels in the Southern Seas has orders to stop the filibusterers, or will such orders be despatched to him?

**Mr. EVELYN ASHLEY**: The only reply I can give to the first Question is that the telegram which I read to the House came from Sir Arthur Kennedy himself. Beyond that we know nothing. As to the remaining Question, the Government has not thought it necessary in the absence of information, which is promised by next mail, to take the strong measures pointed at by my hon. Friend.

**Sir GEORGE CAMPBELL** gave Notice that he would ask the Prime Minister, Whether the Colonial Government had power to invade and annex other countries without the sanction of the British Government, and even to cross the high seas for that purpose?

**Mr. O'DONNELL** wished to ask, Whether the Colonial Government claimed to treat the Natives of New Guinea as rebels in case they resisted the annexation?

[No reply was given.]

### AFRICA (WEST COAST)—SIERRA LEONE—ANNEXATION OF NEIGHBOURING TERRITORY.

SIR GEORGE CAMPBELL asked the Under Secretary of State for the Colonies, Whether it is true, as stated in the public prints, that Her Majesty's Government have ordered the annexation of a considerable portion of the West Coast of Africa in the direction of Sierra Leone; if so, whether this annexation is effected by right of the strong hand, or by any other right; and, whether it is the case, as is to be gathered from the paragraph in the newspapers, that the object is to prevent British trade being sapped by competition, and to improve the revenues of Sierra Leone by subjecting the trade to duties for the benefit of that Colony?

MR. W. H. SMITH asked the Under Secretary of State for the Colonies, If he will explain to the House the extent and the limits of the territory on the West Coast of Africa which was recently annexed to the British Empire by order of the Secretary of State; whether there have been any recognised authorities in the country of which possession has been taken; and, whether they and the inhabitants are consenting parties to the act of Her Majesty's Government?

MR. EVELYN ASHLEY: The territory in question is only a coast line starting from the right bank of the Mannah River, and extending to the north-west for about 20 miles, with a breadth inland of only half-a-mile. The cession of this strip of coast was formally made by the Kings, Chiefs, and inhabitants of the district, by an agreement concluded on the spot in March of last year with Governor Havelock. They had for some time previous expressed themselves as anxious to come under British protection. Her Majesty's Government has been induced to accept this offer of session, not only to cecure that this strip of coast shall not become a great smuggling channel, whereby the revenue and trade of Sierra Leone would be ruined, but also with a view, by establishing a conterminous boundary with Liberia, to put an end for the present, and avoid for the future, many long standing difficulties and complications which endangered good order and peace. Papers on the subject will shortly be laid on the Table of the House.

SIR GEORGE CAMPBELL asked if the hon. Gentleman applied the words "smuggling" to free trade over a foreign territory?

MR. EVELYN ASHLEY: Yes; if, after it has been taken over a foreign territory, it is brought into British territory by back entrances.

SIR GEORGE CAMPBELL asked if the hon. Gentleman applied the word "smuggling" to free trade through territory before it was annexed?

[No reply was given.]

### AFRICA (WEST COAST) — RECALL OF COMMANDANT WALL, OF SHERBRO —THE CORRESPONDENCE.

MR. R. N. FOWLER asked the Under Secretary of State for the Colonies, Whether there would be any objection on the part of Her Majesty's Government to produce the correspondence relating to the recall of Commandant Wall, of Sherbro, West Coast of Africa?

MR. EVELYN ASHLEY, in reply, said, the only objection was its voluminous character; but if the hon. Member, after conferring with him, wished to have the Correspondence he should be happy to lay in on the Table.

### CRIMINAL PROCEDURE — EVIDENCE OF ACCUSED PERSONS.

MR. WARTON asked Mr. Attorney General, Whether, in the event of Clause 100 of the Criminal Code (Indictable Offences Procedure) Bill becoming Law, he will consider the propriety of introducing a Bill to make corresponding changes in the Law of evidence in respect of the summary trial of offences?

THE ATTORNEY GENERAL (Sir HENRY JAMES), in reply, said, he had received a great many communications from magistrates and others on this subject. It appeared to him that if the House accepted the principle of allowing prisoners to be examined when charged with indictable offences, it would be impossible to withhold that privilege from them in cases of summary proceedings. He would, therefore, in the event of the House accepting the principle, take the course suggested by the hon. and learned Member.

## COMPENSATION FOR AGRICULTURAL IMPROVEMENTS—LEGISLATION.

Mr. DUCKHAM asked the First Lord of the Treasury, Whether, in view of the advanced period of the Session, he can now name a day for the introduction of the proposal referred to in Her Most Gracious Majesty's Speech for the

> "more effectually securing to tenants in England and Scotland compensation for agricultural improvements;"

and, whether, the promised measure will deal with the Law of Distress?

Mr. GLADSTONE: I am very sorry that the progress of Public Business has not been sufficiently rapid to enable me to go beyond the intimation which I have already given to the House as to the intentions of Her Majesty's Government. I cannot name a day for the introduction of the Landlord and Tenant Bill until we have made progress with the Parliamentary Oaths Act (1866) Amendment Bill, which stands for Monday next; and after the second reading of that Bill I hope to name an early day for the Bill to which my hon. Friend refers.

Mr. O'DONNELL: Will the Bill with regard to the Local Government of London be also postponed until the Parliamentary Oaths Act (1866) Amendment Bill has been disposed of?

Mr. GLADSTONE: Certainly. The answer I have given applies to all other important Bills.

## THE ANNUITIES TO LORD ALCESTER AND LORD WOLSELEY.

Mr. ARTHUR ARNOLD asked the First Lord of the Treasury, Whether, in order that the annuities to be granted by this House may have an exclusive connection with Lord Wolseley and Lord Alcester, Her Majesty's Government will consent to omit that portion of the proposal by which it is intended to settle the same annuity upon the unborn male heirs of those distinguished officers, and thereby to burden the Pension List, possibly for a century, with the charge of £4,000 a-year?

Mr. GLADSTONE: I think, perhaps, I had better not now give any detailed answer to the Question, which rather belongs to the debate which will take place this evening. I may say, however, that it has always been the practice to give an hereditary character to these pensions, and we are not prepared to depart from the practice.

## LOCAL TAXATION.

Mr. BRODRICK asked the First Lord of the Treasury, Whether he can inform the House what taxes or portions of taxes he proposes to transfer to local authorities, towards the relief of local burdens, in pursuance of the Resolution of this House of the 17th April; and, whether he will introduce the measure to give effect to it during the present Session?

Mr. GLADSTONE, in reply, said, that the hon. Member could not have recollected the Queen's Speech at the beginning of the Session, or studied the Resolution which was passed the other night. In the Resolution he would find that the financial portion was there connected with the portion which related to Local Government; and in the Queen's Speech he would see that it was the intention of the Government to introduce measures in relation to Local Government provided the progress made with other measures would be such as to justify their introduction.

## PORTUGAL—ANGOLA.

Lord GEORGE HAMILTON (for Mr. Bourke) asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government are aware that the following Order has been issued by the Governor of Angola:—

> "By order of His Excellency the Governor General, I beg to inform you that Mr. Ferreiro d'Aterea, and, in his absence, Mr. Antonia Alfredo Ferreia de Carvalha, have been appointed at Banana, Congo River, by the Board of Health of Angola, to put the visé on the Bills of Health.
>
> "I beg to inform you that Mr. Cartaus de Meiscida has been appointed director of the branch post office in Banana Point, Congo River, and that all correspondence that the English steamers may bring for that place has to be delivered to him;"

and, if so, whether the instructions issued to British officers in 1856, and confirmed by Lord Derby in 1876, viz. to oppose by force any attempt of the Portuguese to extend their dominions north of lat. 5·12 degrees are still in force?

Lord EDMOND FITZMAURICE: Her Majesty's Government have received from a private source a translation of the orders referred to, which are stated to have been issued by the Governor of Angola, but they have no official confirmation of the fact. Her Majesty's Minister at Lisbon has already been instructed to make inquiries on the subject. The instructions to Her Majesty's naval officers, which were issued in 1856 and confirmed in 1876, are still in force.

### PARLIAMENT—STATE OF PUBLIC BUSINESS—TUESDAYS AND FRIDAYS.

MR. CARBUTT asked the First Lord of the Treasury, Whether it is true, as stated in the public press, that, having regard to the want of interest recently shown on private Members' nights, and to the necessity of carrying the programme mentioned in the Speech from the Throne, it is the intention of the Government to ask leave of the House to take Tuesdays and Fridays for Government purposes; and, if so, how soon it is proposed to make such request?

LORD HENRY LENNOX asked why the Government had not, in fulfilment of their pledge of April 10, fixed an early day for the discussion of the Navy Estimates?

MR. GLADSTONE said, that it was certainly the intention of the Government to provide an early day for this purpose; but he believed no pledge had been given. The Estimates might, as far as he could judge, be taken on the first Government night after the second reading of the Bill. With regard to the Question of the hon. Member for the Monmouth District, he had no doubt it sprang from anxiety to promote Public Business; but it must be borne in mind that it was not more than six or seven weeks since the House had commenced the transaction of Business, reckoning from the time when the debate on the Address terminated; and the Government did not think the time had yet arrived when they could ask the House to resort to the practice of taking Tuesdays and Fridays for their Business.

SIR STAFFORD NORTHCOTE said, that it was very desirable to make arrangements for the resumption of the Transvaal debate; and, with the object of enabling the House to form a clear idea of the course that would be taken as to the several Amendments, he would ask his hon. and learned Friend the Member for Chatham whether he would be prepared to withdraw his Motion if a day were fixed for the renewal of the discussion?

MR. GORST said, that, in the event of the Amendment of the hon. Member for Oxfordshire (Mr. Cartwright) being withdrawn, he thought he should be able to adduce reasons which would induce the House to allow him to withdraw his Motion, on the understanding that the Resolution of which Notice had been given by the Prime Minister should be proceeded with. In the absence, however, of any understanding of that kind, he thought he would not be justified in adopting a course that would deprive the House of the opportunity of expressing its opinion as to recent events in the Transvaal.

SIR STAFFORD NORTHCOTE gave Notice that he would to-morrow ask the Prime Minister, Whether, in the event of the withdrawal of the Motion of the hon. and learned Member for Chatham, he would be prepared to submit to the House as a substantive Motion the substance of the words which now stood in his name on the Notice Paper?

MR. GLADSTONE: I will answer the Question at once. My Amendment was given Notice of as an Amendment to the Motion of the right hon. Baronet the Member for East Gloucestershire (Sir Michael Hicks-Beach). I have a difficulty in undertaking any course which would imply that time is to be found for two separate debates on this subject. I am afraid I could not undertake that. I believe the House has very largely discussed the question of Bechuanaland, and, certainly, I cannot object to the desire of the hon. and learned Member to take the judgment of the House upon it. That could be taken in case the House did not adopt the Resolution of the right hon. Gentleman, and then the judgment of the House could be taken on the words of my Amendment, in immediate prosecution of any division on the Motion of the right hon. Baronet. If the House agrees to take a division on the Bechuanaland question, then I can pledge myself to find an early day—I hope before Whitsuntide—for the discussion of the Transvaal Convention.

LORD RANDOLPH CHURCHILL asked if they were to understand that the Prime Minister did not abandon his intention to move the Resolution on the Paper?

Mr. GLADSTONE: No. I am perfectly willing to abide by it; but I am not prepared to give Government time for the prosecution of two distinct debates on the Transvaal.

## *ORDERS OF THE DAY.*

### LORD ALCESTER'S ANNUITY BILL.

(*Sir Arthur Otway, Mr. Chancellor of the Exchequer, Mr. Gladstone.*)

[BILL 145.] SECOND READING.

Order for Second Reading read.

Mr. GLADSTONE: Sir, in rising to propose the second reading of this Bill, I feel that it cannot be necessary for me to traverse in detail the ground upon which I detained the House at considerable length during the Autumn Sitting of last year. But, at the same time, it is right that I should explain to the House the basis upon which we have proceeded in determining the particular form of the proposal that is now before the House, and likewise to remind them of the heads, at least in brief summary, of those claims which have induced us to make such a proposal at all. My hon. Friend the Member for Salford (Mr. Arnold) intimated, in the form of a Question, that, in his view, it was not desirable to introduce into this proposal the elements of an heritable character. The state of the case is this. That perhaps for some considerable time, at any rate in a variety of instances, the House has been satisfied to grant a sum of money *en bloc*, or to grant a pension for life, where no Peerage has been conferred apon the individuals receiving the honour. But a long series of precedents show that successive Parliaments and successive Governments have, with very great unanimity, and almost without the expression of a difference of opinion, admitted, in various degrees, this heritable element in the grant of pensions associated with Peerages. In both the instances now before the House, I need hardly remind the House of the reasons why the association should prevail. If we go back a certain time to the close of the Great War, it does not appear that there has been a very great variation as to the amount of those pensions; but there has been a considerable laxity in one direction, I admit—namely, the duration of the pensions. If we go back to the close of the Great War in 1814, there were four pensions of £2,000 a-year each to Lord Hill, Lord Exmouth, Lord Lynedoch, and Lord Beresford; and all these pensions were granted in what is termed perpetuity, I believe to the heirs male, terminable with the Peerage itself, or with the succession of heirs male, but, upon the supposition of their continuance, the pension was continued also. There was in that year, also, one pension given to Lord Combermere of the same amount of £2,000 a-year, not, however, granted in perpetuity, but for three lives; and then the practice of granting pensions for three lives appears to have prevailed for some considerable time. Lord Seaton, for his services in Canada and elsewhere, received a pension of £2,000 a-year for three lives in 1840; Lord Keane a similar pension for a similar term in 1841; and both Lord Gough and Lord Hardinge in 1846 received similar pensions for three lives for their services in India. After that a change was gradually introduced. In 1855, Lord Raglan, as will be recollected, died in the Crimea while he was in command of the British Army, and no pension at that time had been conferred either upon him, or his descendants, in respect of his military services. After his death, a pension for life of £1,000 a year was granted to his widow, and £2,000 a-year to his descendants, the two next heirs of the title, in consideration of his military services. The precedent thus set of a pension of £2,000 a-year for two lives still continues; but in that case it undoubtedly appears that the pension for two lives was based on the idea that had Lord Raglan's life been spared until a measure was adopted by Parliament a pension would have been given for three lives. But at a subsequent period, in the time of Lord Beaconsfield, in 1868, a case occurred which is very analogous to the present case. Lord Napier of Magdala, on the proposal of the Government, received a pension of £2,000 a-year for two lives. The House will observe that this case represents the minimum of the heritable element invoved in the grant of a pension of this kind; but the heritable element has never yet been abandoned. I will not now enter upon the question whether the reduction of the grant from perpetuity to three lives, and then to two lives, was wise and prudent or not. I will only say that the question now raised is not opposed to general precedent, and I think it is recommended by the reason of the case; having in view, as we have, not only the services performed, but the possible transmission of the title, which is hereditary. I may say, in passing, that these pensions have been granted for a succession of lives, whether there were heirs male or not. But it having been the fact that we have witnessed with satisfaction the conferring by the Crown, not only of an hereditary title, but an hereditary title associated with very important privileges and duties, we are not prepared to be responsible for recommending to the House altogether to dispense with so much of the heritable element as has, according to later precedent, been connected with grants of this kind. That being so, while I regard the precedents alone, and the general reason of the case, as ample ground for declining to confine our proceedings on this occasion to a grant for life, I must say I think the occasion would be one very unfortunately chosen for introducing a further limitation into the not immoderate bounty of Parliament in these matters. It has been much more often my duty or inclination, or both, to complain of, or to state, or perhaps to defend, the doctrine that the public is a liberal paymaster, than to state the opinion that our proceedings, in the bestowal of public money, are governed by restraint or moderation. I do think that in respect of ordinary and average services, whatever complaints may be made in this House or elsewhere, the public is the most liberal paymaster that exists. That is my strong conviction, after long observation and experience. But I must say also that is my opinion with regard to civil rather than military matters. I except cases—certainly very rare and splendid—like those of the Duke of Wellington or the Duke of Marlborough. Splendid, what I may call superlative, services are moderately, not very immoderately, remunerated in this country; and if we wish to have services in which the highest devotion is combined with a rare assemblage of great qualities—in which the duties of an Admiral and General, arduous as they are in themselves, are likewise combined with the necessity of displaying the greatest qualities of civil life as usually employed and developed —then it is a very serious matter for us to depart from the precedents of those who have gone before us, and who, I think, have been thrifty in their character as stewards in charge of the public purse, in order to further abridge the bounty of Parliament in this respect. Here I come to the case of Lord Alcester; and I do not hesitate to say that this is a case in which there was not only great devotion, and a display of some great qualities, but such a remarkable display and combination of great qualities that entitle Lord Alcester to our respectful gratitude. I shall not now speak of what I dwelt upon on a former occasion—namely, this fact, that, before he proceeded, as Commander-in-Chief in the Mediterranean, to the port of Alexandria, he had already established great claims upon the acknowledgment of the Government and of Parliament, quite irrespective of their approval or disapproval of the policy of the cause which he was engaged in promoting, by his extremely skilful management of a very difficult situation, when he was employed in the Naval Demonstration off the coast of Albania. [*Ironical cheers and laughter.*] I believe that there can be no difference of opinion on that subject. I will now dwell only for a very few moments on the services rendered by him in Egypt, which, of themselves, entitle him to some such grant as that now proposed. I believe I may say that the naval action of Alexandria—the bombardment of Alexandria—was no unimportant event in the history of maritime warfare; because I do not know whether, since the introduction of those vast machines under the name of ships, which appear almost to differ in kind as well as in degree from the ships of other days, and almost to transcend the ordinary faculties of the human mind, such are the risks and difficulties they present with reference to their management and their effective application to the purposes for which they were constructed, I might perhaps venture upon the contention that the event is no inconsiderable event in the history of naval warfare. It will not be found, I believe, very easy to refer to any previous event in the history of the wars of Europe, since the great ironclad ship came into use, which at all tended to exhibit the efficacy of these tremendous engines in the manner in which it was exhibited by Lord Alcester in the destruction of the forts of Alexandria. But it was not merely the activity, judgment, and energy with which that action was conducted which ought to be remembered in considering the case of Lord Alcester. He had a very difficult question to determine in the application of the instructions under which he proceeded to conduct operations, because the operations, and the authority to engage in the operations, depended upon his close vigilance and accurate discernment of proceedings which were, as far as possible, concealed by night and art; and it was upon the continuance of proceedings for the strengthening of the forts of Alexandria that Lord Alcester's action was entirely to depend. That vigilance and that discrimination Lord Alcester exercised in a manner such as to entitle him to the highest praise. Then we may be led to compare the bombardment of Alexandria with the most considerable maritime operation against the shore in which the British Fleet had up to that time been concerned. I mean the bombardment of Algiers. But there was this great difference between the two cases; that, whereas, in the case of the bombardment of Algiers—if we accurately understand the object and policy of Lord Exmouth—there was felt to be a necessity for inflicting much damage upon the city of Algiers and its peaceful population, in order to bring about the peace which was desired. In the case of Alexandria, Lord Alcester had to achieve the difficult purpose of effectively destroying the forts, and yet sparing the city. [Mr. O'DONNELL: Oh!] The hon. Member for Dungarvan is very much given to that kind of jeer, and we all know that he is not deficient in the faculty of oral expression. I should have thought it indisputable that that was a great object which Lord Alcester had to achieve, and I do not understand why the anger of the hon. Member should have overboiled before I stated that he did achieve it. I now stated that he did achieve it; and I say, almost without qualification, that with the gallant force under his command he attained the purpose of an effective destruction of the forts of Alexandria without inflicting injury upon the city, or causing loss of life among the peaceful population. Much as, unfortunately, the city suffered, it did not suffer from the action of Lord Alcester or from the British Fleet. It suffered from the action of those against whom Lord Alcester was conducting his operations, and whose conduct on that occasion it is not necessary for me further to examine. I do not hesitate—feeling confident of carrying with me, if not the unanimous, yet the all but unanimous, judgment of the House—I do not hesitate to say that he spared the property accumulated in the great city of Alexandria, and that that was part of the great service which he rendered. But Lord Alcester's services were not confined to the sea. His business was not merely to inflict a certain amount of damage and destruction upon the forts of Alexandria. He had to land his forces, he had to man the forts which he had been engaged in destroying, and he had to assume the great responsibility of the police, and, likewise, of the defence of a great city, for a number of days before the military reinforcements reached him to relieve him from the charge. That was a great responsibility, and it was a responsibility of which this distinguished Officer, during a space of about six days, admirably acquitted himself. He had also to meet an extraordinary measure taken by the enemy, not so much against him as against the whole population of Alexandria. I mean that strange measure which was adopted by those in arms against him of stopping the water supply of the population of a great city —a scheme totally ineffective for the purpose of inflicting injury upon the English as belligerents, but aimed at a fatal purpose, and with great likelihood of having fatal effects, against the whole population of the city. The great energy of Lord Alcester and of those around him enabled him to defeat that most culpable purpose, and to prevent the infliction of great suffering, if not of absolute death, upon the peaceful inhabitants of the city. After that he had another difficult operation to execute. It is to him, as the chief in command, that we are primarily and most of all indebted for the effective occupation of the Suez Canal, and for those admirable arrangements under which a vast fleet of transports of enormous tonnage was poured into the Canal almost without any sensible interruption of the mercantile traffic which is carried on through the Canal. That achievement was a matter of no ordinary difficulty, and its successful accomplishment evidences the greatest skill and the highest capacity to discharge any duty whatever attaching to the distinguished Profession of which Lord Alcester is such an ornament. Afterwards he had a large share in those arrangements for the supply of the Army, which enabled Lord Wolseley to bring the operations in Egypt to a close with an expedition that, I may fairly say, was favourably observed in every civilized country; and all this was carried on by him in the discharge of mixed duties, which was only too likely to lead to a misunderstanding, in such a manner as not only to maintain, but, if possible, to increase, the perfect harmony prevailing between the two great Services engaged in the defence of the country. It appears to me that the man must be fastidious indeed who does not admit that such labours as this, performed as they have been by Lord Alcester, afford an ample justification for the proposal now made. Not only do they afford ample justification, but they impose an imperative duty, and would have made Her Majesty's Government the objects of a just censure if they had declined to propose, or if they had proposed in less than the present moderate measure and degree, the grant of public money which is the subject of the present Bill. With these observations, I commend the Bill to the favourable attention of the House, and I now beg to move that it be read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Gladstone.*)

Mr. LABOUCHERE, in rising to move, as an Amendment—

> "That, in the opinion of this House, the services of Lord Alcester during our Naval operations in Egypt were not of such a character as to satisfy this House as to the desirability of assenting to the proposal submitted to it in this Bill,"

said, that not many days ago that House passed the following Resolution:—

> "That, in the opinion of this House, the present amount of the National Expenditure demands the earnest and immediate attention of Her Majesty's Government, with the view of effecting such reductions as may be consistent with the efficiency of the public service."

When that Resolution was passed, he rejoiced, for he said to himself, it was not absolutely necessary for the efficiency of the Public Service that either Lord Alcester or Lord Wolseley should be granted an hereditary pension, and therefore the result would be that those proposals would not be brought forward. Alas, for his own guileless innocence! Alas, for the trustful faith of his simple-minded Friend the hon. Member for Burnley (Mr. Rylands)! His hon. Friend and the rest of the House would, no doubt, for the future agree with the Prime Minister in the observation that he had often made, that abstract Resolutions were of little practical good. A little more than a fortnight ago Ministers, the Opposition, hon. Gentleman from Ireland, hon. Gentlemen below the Gangway, all entered into a solemn league and covenant in favour of retrenchment. Now they were about to give effect to that solemn league and covenant by being asked to vote a pension not only to Lord Alcester, but to Lord Alcester's son, who, whatever might be the merits of his father, certainly had not yet done anything to deserve reward. In fact, he was credibly informed that the son in question was not yet born. He had put down the Resolution which stood in his name as a practical negative of the Motion to read that Bill a second time. Now, he knew there were hon. Gentlemen who thought it would be more desirable to have moved a reduction; but when they remembered that the second reading of this Bill was moved by the Prime Minister, and when they remembered that the right hon. Baronet the Leader of the Opposition (Sir Stafford Northcote) said, at an early stage, that he was anxious to second it, they took it as a fact, that, precisely as the Bill was brought in, it would be carried through the various stages of that House. When hon. Members said they were not going to vote against the second reading, but would vote for some reduction, he hoped that whatever reductions were proposed might be agreed to by the House; but he thought it exceedingly improbable that they would, and, practically, when any hon. Gentleman voted in favour of the second reading, he knew very well he was giving a vote which would give hereditary pensions to those gentlemen. Now, the right hon. Gentleman the Prime Minister had spoken with his usual eloquence on the matter; but he (Mr. Labouchere) should venture to submit to the House certain special and just grounds why they should not agree to the second reading. He agreed that it was not the business of the Commanders of an expedition to consider the causes which led to the war in which they are engaged. They were bound to fulfil their duty. What alone would he say with regard to this war—that they could not consider it one of those great and famous military expeditions which would go down as military exploits to live in history. In point of fact, they were not at war at all; according to the official accounts they were only engaged in military operations. Arabi—so ran the official account—was a military adventurer, who, with one or two regiments, was resisting the behests of the Khedive. The Egyptians were almost entirely opposed to him, and were anxiously looking forward for the English to occupy Egypt, and to free them from the yoke of Arabi, and put them in the advantageous position that they were in before, when they were the slaves of the Khedive and were happy in paying their taxes, to enable the interest to be paid on the bonds of their kind friends in that part of the world. The right hon. Gentleman stated that Lord Alcester had established great claims upon the country by his former achievements, and he (Mr. Labouchere) was not there to deny the ability of the noble Lord, or to say that he had not done his duty. He, however, desired to point out that, to an Admiral, the advantages of being in command of a Fleet were enormous, and accordingly Lord Alcester obtained those advantages. It was not the kindness that the Admiral had done the country that was in question—it was the kindness which the country had done the Admiral in giving him the command of its Fleets. Since 1870, Lord Alcester had been in command of the Detached Squadron, of the Channel Squadron, and of the Mediterranean Squadron, and during all that period he had been receiving exceedingly large pay and honour—for it was an honour to which every Naval officer aspired to command a British Fleet. He could not see why the fact that Lord Alcester had received large pay and great honour should be a reason for making him any special grant of this kind. The Prime Minister had practically placed the matter upon two grounds. The right hon. Gentleman told them that Lord Alcester did two things which had entitled him to this hereditary pension—namely, that he organized with great ability the transport of the troops from Alexandria to Ismailia, and that he had bombarded the forts at Alexandria. Now, as regarded the transport of the troops from Alexandria to Ismailia, it must be remembered that the troops had, in the first place, to be transported from England to Alexandria, which seemed to him to be a much greater distance than from Alexandria to Ismailia; and it must also be remembered that the transport of the troops from Alexandria to Ismailia met with no sort of opposition. The thing, no doubt, was done ably enough; but he put it to the House, Were the services of the Admiral in that matter of such a character as entitled him to this hereditary pension? Why, troops had been transported before that. When General Abercrombie commanded in Egypt, troops were sent to him; but the Admiral who conveyed them was not pensioned. Again, they were sent out to Portugal during the Peninsular War, but no pension was given to the Admiral; in fact, in the case of the Indian Mutiny, the China, Crimean, and American Wars, they had been respectively transported to India, to China, to the Crimea, and to Canada; yet no one had even dreamt of saying that the successful transport of the troops in those cases formed one of those grand and distinguished acts in respect of which the nation was bound to confer honours and pecuniary rewards upon those who were responsible for their conveyance from one place to another. Now he came to the bombardment of the forts at Alexandria, respecting which the right hon. Gentleman had said it was a great military exploit, and he had referred to the bombardment of Algiers as being of a similar character. Had not the right hon. Gentleman referred to the bombardment of Algiers, he (Mr. Labouchere) himself should have done so. It was possible to estimate the military character of such an action by the number of deaths which it involved. When Lord Exmouth bombarded Algiers, he had to sail into a harbour surrounded by guns, the consequence being that 850 officers and men were killed on board the British Fleet. [Mr. GLADSTONE: Killed and wounded.] He thought that

that number had been killed; but he was glad to hear that they were only wounded. It was sufficient, for his purpose, that, on that occasion, 850 officers and men had been killed and wounded. Contrast that case with the bombardment of Alexandria. In the latter case, on board the British Fleet, the only commissioned officer killed was a lieutenant or a midshipman, and one warrant officer, and six seamen were killed, and either 20 or 26 seamen were wounded. A comparison between those two sets of figures gave a tolerably fair idea of the comparative dangers and difficulties of the two engagements. The right hon. Gentleman, moreover, had told them that the bombardment of Alexandria would go down to history, because it involved a solution of a technical problem as to the resistance offered by iron-clads to heavy artillery. The right hon. Gentleman had stated that this was the first battle in which iron-clads had been opposed to artillery; but, with all due respect, he appeared to have forgotten the Battle of Lissa, in which very heavy guns were used on both sides, thus testing the question in a much more efficient manner. In any case, however, the solution of the point in question could scarcely be assigned as a reason for granting a Peerage and an hereditary pension to Lord Alcester, because, if it were, a Peerage and an hereditary pension might be granted to the gentleman who looked after the target practice at Woolwich. But he went further on this subject. He would venture to say that, in bombarding the forts around Alexandria, Lord Alcester had been guilty of an unnecessary act, involving great calamities upon the Egyptian people. There was, in that act, a great amount of *mala fides* to the Egyptians and Her Majesty's Government, and it led to widespread distress in Alexandria. It appeared to him, also, that Lord Alcester was responsible for the probable consequences which would result from bombarding the forts, when he had no troops ready to take the place of the Egyptian Army when it retired. In the case of Paris, the French authorities had been exceedingly anxious that an armed force should remain in the City; and they succeeded in convincing Prince Bismarck of the danger that would result from the withdrawal of all armed force. He consented that the National Guard should be allowed to retain their arms; and, had he not done so, the same thing would have then occurred in Paris that occurred at a subsequent time. In the present case, however, Lord Alcester had been expressly warned of the consequences of bombarding the forts at Alexandria without having troops to land immediately afterwards. Before the bombardment the Foreign Consuls sent a Collective Note, saying—

> "However effective, the bombardment of Alexandria cannot take place without causing great danger to the Egyptian population, nor without the destruction of an incalculable amount of European property."

Common sense would have told the same thing; and the warning was unquestionably realized, because the burning of Alexandria was the result, and the direct result, of the bombardment of the forts. Coming to another point, the right hon. Gentleman had said that Lord Alcester had particularly distinguished himself by the great intelligence which he had shown in carrying out this particular and difficult task, which was to watch the Egyptians, and to bombard or not, as the case might be. He (Mr. Labouchere) was always sorry to inflict upon the House any extracts from Blue Books; but, unless he did so upon the present occasion, he could not make his meaning clear, and the conclusion he had arrived at upon the point after reading them was this. On the 11th of June the massacres took place, and on the 25th Lord Alcester—who was then Admiral Sir Beauchamp Seymour—declared that he supposed the Conference would tell him to take hostile steps against the Egyptians; and he, therefore, telegraphed to the Admiralty—

> "I should wish to be perfectly prepared for immediate action when the decision of the Conference is known here. I propose to bring all the outside Squadron into desirable positions for attack."

The reply from the Admiralty, of the 26th of June, was—

> "If Egyptian troops are making preparations to attack, communicate with French Admiral, and bring ships inside into position."

It must be remembered that, at that time, there was no case against the Egyptians of having in any sort of way menaced the safety of the Fleet. On July 2nd, when Sir Beauchamp Seymour found that he was to do nothing, he telegraphed to the Admiralty—

"Arabi now gives out that he is inspired nightly by the Prophet. He hopes getting Allied Fleet into trap by sinking stone barges to bar Channel."

On the same day the Admiralty telegraphed to Sir Beauchamp Seymour—

"Acquaint Military Governor that an attempt to bar the Channel will be considered as a hostile act, which will be treated accordingly."

On July 3rd the following telegram was sent by the Foreign Office to Sir Beauchamp Seymour:—

"Prevent any attempt to bar Channel into port. If work is resumed on earthworks, or fresh guns mounted, inform Military Commandant that you have orders to prevent it; and, if not immediately discontinued, destroy earthworks, and silence batteries if they open fire."

Of course, he was to do that; but they heard absolutely nothing more of the Channel being stopped. The whole thing disappeared. It was a myth. The next thing they heard of was that, on the 4th of July, Sir Beauchamp Seymour telegraphed—

"Two additional guns placed in Pharos Castle last night. Parapet facing sea front was also strengthened. No change in the works bearing on the harbour. French Admiral has asked for orders. Has received reply from Military Governor and Arabi, sending Egyptian Admiral to give assurances no Channel obstruction contemplated."

On July 5th Mr. Cartwright telegraphed to Earl Granville—

"Yesterday afternoon the Under Secretary of Marine called on Sir Beauchamp Seymour and made re-assuring statements to His Excellency in regard to the placing of impediments in the entrance of the harbour of Alexandria. A little later the Admiral received a written reply from the Commandant of the garrison, couched in similar language."

On the same day Sir Beauchamp Seymour telegraphed to the Admiralty—

"Shall demand from Military Governor to-morrow cessation of all work on the batteries. As French appear indisposed to act, shall detain *Penelope* until result is known."

The next day Mr. Cartwright telegraphed to Earl Granville—

"Admiral Seymour finds that the military works were suspended yesterday afternoon."

On the same day Sir Beauchamp Seymour telegraphed to the Admiralty—

"No signs of operations since yesterday afternoon."

On July 7th the Foreign Consuls appealed to Sir Beauchamp Seymour not to bombard, and assured him that they could obtain perfectly satisfactory assurances in regard to the fortifications. Sir Beauchamp Seymour telegraphed to Earl Granville on July 8 that two more guns were mounted on a battery five miles off, and asked whether that was to be a *casus belli.* To this Earl Granville replied that it was not to be so regarded. On July 9th Sir Beauchamp Seymour telegraphed to the Admiralty—

"Guns are now being mounted on Fort Silsili. Shall give Foreign Consuls notice at daylight to-morrow morning, and shall commence action 24 hours after, unless forts on Isthmus and those commanding entrance to the harbour are surrendered."

To this no reply was sent. On the 10th of July, Sir Beauchamp Seymour sent as follows to the Military Commandant at Alexandria:—

"As hostile preparations, evidently directed against the squadron under my command, were in progress during yesterday at Forts Isili, Pharos, and Silsili, I shall carry out the intention expressed to you in my letter of the 6th instant, at sunrise to-morrow, the 11th instant, unless previous to that hour you should have temporarily surrendered to me, for the purpose of disarming, the batteries on the Isthmus of Ras-el-Tin and the southern shores of the harbour of Alexandria."

Dervish Pasha replied on the same day, and, after explaining that he had no powers to make this surrender of territory, he said—

"The Admiral might first have set forth in a friendly manner the grievances which have been the cause of the measures he has taken. It would have been possible to verify them, and subsequently to have consulted as to the means of remedying them."

The whole story, as he had said, amounted to this—The massacres took place on June 11th. On June 25th, Sir Beauchamp Seymour stated that, as he would probably be told to take hostile steps against the Egyptians, he wished to get his ships into position. At that time there was no case against the Egyptians of having menaced our ships. On July 2nd, when he found that he was not to bombard, he telegraphed that Arabi was laying a trap to catch the Fleet by stopping the channel of the harbour. He was then told that such a proceeding would be a hostile act; and that if the Egyptians began to erect earthworks he was to prevent them from doing so. But nothing more was heard about the channel being stopped up. The whole story was a myth. On the 4th of July, Sir Beauchamp Seymour again telegraphed that battery works were progressing, and again, on the 6th of July, that those works had ceased. On July 8th, Sir Beauchamp Seymour said that two guns had been mounted upon a battery, and asked whether that was to be considered a "*casus belli.*" On July 9th, the gallant Admiral telegraphed that fresh guns were being mounted, and that he was insisting on the surrender of the forts, under threat of bombardment within 24 hours. Sir Beauchamp Seymour based his view on the fact that Lieutenant Smith-Dorrien had seen two guns being parbuckled towards carriages which he thought had been previously moved towards the harbour. From what he had said, no person could arrive at any other conclusion than this —that Sir Beauchamp Seymour had, ever since the massacre of June 11th, when some of his officers were insulted, determined, if he possibly could, to avenge that massacre. ["No!"] He had put forward one pretext after another to hide that determination; but they were only pretexts. ["No, no!"] Well, he should have a witness to that statement. He (Mr. Labouchere) thought that the mistake which the Government made was in not asking Lord Alcester to let them know what was the real danger incurred by the Fleet, when he had telegraphed to say that he intended to bombard the forts, because fresh guns had been placed in position on them, and the Fleet was menaced. He could not believe that, if the facts had been known to the Government as they were known at the present time, if they had known that the Fleet was not incurring any sort of danger, and that this determination, on the part of Sir Beauchamp Seymour to bombard was on account of the massacre, they would have sent him more specific instructions to prevent bombardment, until such a step was rendered absolutely necessary, and not have waited 24 hours before sending him any instructions at all. Now, he had said, when hon. Gentlemen called out "No, no!" that he had a witness to the assertion he had made that Lord Alcester's statements to the Government were merely pretexts; and he would call that witness, for it was no other than Lord Alcester himself. Last week, Lord Alcester was dining at that temple of Civic Jingoism—the Mansion House—when he (Mr. Labouchere) believed that the noble Lord was made a freeman of the Cutler's Company, and received a snuffbox, or a casket, or something of that kind. He would ask the attention of the House to what the noble Lord said on that occasion, after which he thought no one would deny that he bombarded the forts, not because of any danger to the Fleet, but because some of his sailors had been insulted during the massacre. What the noble and gallant Admiral stated was this—

> "But the extreme difficulty that attended the work I had to do was in the early part. It was impossible, after the massacres that took place at Alexandria on the 11th of June, to do anything in the way I should have liked. Had it not been for the enormous European population and the Levantine population, subjects of European Powers, I think it very possible that, with the small force we had, we should have endeavoured to have settled matters on the following morning. But that was impossible in the circumstances. There is a distinguished diplomatist present who will bear me out in saying that, had we attempted to seek that redress which we were entitled to demand, the lives of the enormous European population of Cairo and of Egypt generally would have been placed in peril. I was told, in distinct terms, that I must do nothing. I was requested to do nothing until measures could be adopted to remove the European population. The massacre of Alexandria took place on the 11th of June. I will ask you to pay attention to what I say now. The last vessel containing refugees from Egypt was towed out of the harbour of Alexandria at 4 p.m. on the 10th of July, and we attacked the batteries at 7 o'clock on the following morning. Therefore, there was no lack of promptitude in endeavouring to redress the grievances we had to obtain redress for."

The House, he thought, had a right to ask the Government whether they assented to that statement. Lord Alcester expressly threw over everything which appeared in the Blue Book, including the guns that were brought to bear upon the Fleet, which, if his statement was correct, was nothing less than a pious fraud. From his own showing, he had determined to obtain redress for what he termed the grievances of the 11th of June. He said he was "requested to do nothing until measures could be adopted to remove the European population." Who requested him to do nothing? It was a serious question whether the Government accepted that view or not. If they did not, they had been hoodwinked by Lord Alcester;

and how, in that case, was it possible for the Government to ask the House of Commons to grant a pension to that officer? It was clear—in fact, they almost knew—that the Government never contemplated the bombardment of Alexandria. The right hon. Gentleman who was then Chancellor of the Duchy of Lancaster (Mr. John Bright) was opposed to every kind of war. He was at that time in the Cabinet; but no sooner had news of the bombardment arrived than he at once resigned his position. It was therefore impossible that the question of bombardment could have been mooted in the Cabinet. From the fact of the right hon. Gentleman not having resigned before the bombardment, but resigning immediately after, they were justified in saying that the question was never even mooted in the Cabinet, and that the Ministry accepted a mere *ex post facto* responsibility, without exactly knowing what had happened. Which leg, then, did the Government elect to stand on? How was their acceptance of Lord Alcester's view consistent with the late Chancellor of the Duchy's remaining in the Cabinet? And if they did not take that view, why did they propose to the House to grant this pension? He now came to the general grounds on which it was granted. The proposition before the House was, practically, that there was a distinction between the Military and Civil Services; and that in the case of the Military, though not of the Civil Service, hereditary pensions should be granted for distinguished services. The right hon. Gentleman had told them that there were many precedents for the course now taken. Well, there were precedents against it as well. He (Mr. Labouchere) thought he was right in saying that a pension was granted to Lord Lyons for only one life. At any rate, it was so in the case of Lord Clyde. Lord Exmouth, it was true, received £2,000 a-year for two lives; but Lord Nelson received only £2,000 a-year during his own life for fighting the Battle of the Nile; and, surely, the Battle of the Nile was somewhat more important than the bombardment of Alexandria. For the taking of Copenhagen Lord Nelson received nothing. There was the case of Admiral Parker, who commanded in our war with China, who was concerned in the taking of Amoy, and who practically opened up the Chinese Empire to Englishmen. He received nothing. The House would also remember the bombardment of Acre, when Sir Robert Stopford and Sir Charles Napier were in command. That bombardment would compare almost advantageously as a military deed with the bombardment of the forts of Alexandria; and yet neither of the Commanders received anything. During the Crimean War a pension was given to Lord Raglan only, although many eminent Generals were concerned, and were in command of troops when Sebastopol was taken. They did not even receive thanks. He would also take the case of the Duke of Wellington. After the Siege of Seringapatam and the Battle of Assaye he received neither pension nor title; and yet at the Battle of Assaye he, with only 1,500 Europeans and eight guns, defeated Scindia with 50,000 troops and 102 guns. Then the Duke of Wellington went to Portugal and won the Battle of Talavera. For that a title was given to him; but he did not receive a pension at that time. Afterwards he won the Battle of Busaco, carried the lines of Torres Vedras, and when he had taken, in 1812, Ciudad Rodrigo, he received a pension of £2,000 per annum for two lives. These services of the Duke of Wellington were, in his (Mr. Labouchere's) judgment, a little superior to those of Lord Alcester. Besides, there was another case which occurred very recently — he meant, of course, the case of General Roberts. General Roberts crossed the Peiwar Pass in the midst of snow, and advanced on Cabul in 1878, fighting his way all along. In 1879 he withdrew; but subsequently he recrossed the Pass, took Cabul, and made his famous march from Cabul to Candahar. What did General Roberts receive? A grant of £12,500. He was not saying that there was any meanness in this, for he (Mr. Labouchere), personally, was opposed to all these pensions and grants. But, admitting that the services of General Roberts were amply rewarded by that gratuity of £12,500, he was at a loss to conceive how any Minister could come forward and ask them to give £2,000 a-year to Lord Alcester. If precedents did exist, he did not think there was any reason why they should follow them. The right hon. Gentleman had stated that Lord Keane received an hereditary pension. He thought the present Lord Keane was the fourth in descent from the first Lord, and he was not aware what service the present Peer rendered to the country. He should be delighted to strike the amount of the pension out of the Estimates. He admitted that war was a necessity, and that it was necessary to spend a vast sum of money in order to maintain their Military and Naval Services efficiently; but these special grants given to Commanders were merely a relic of a bad time, when it was thought to be much grander to swagger about with a sword than to be engaged in any peaceful profession. Everybody admired sailors, because they were engaged in a profession which perpetually involved great risks and hardships; but he did not know whether the sailors in the Mercantile Marine were not quite as good men as the sailors in the Royal Navy. The risk incurred by a sailor who was fighting with the elements was as great as that incurred by the sailor who was present at the bombardment of Alexandria, which was the old fight between the pot of iron and the pot of earthenware. He would ask hon. Members not to look at precedents at all; but, as sensible men, to regard the matter on its own merits. He would admit that when a foe worthy of our steel was defeated, as was the case in the Battle of Waterloo and the Naval engagement of Trafalgar, he could understand that some sum should be given to the General in command; but was this one of those cases? Certainly it was not, and he believed the Prime Minister himself would be the last to say that it was. Why should they make these distinctions between Civil and Military men? [Mr. GLADSTONE: No, no!] Surely they were laying down the principle that, in the case of military men, hereditary pensions and large gifts were to be granted when they had efficiently performed their duty, and they did not lay down that rule in the case of civilians. He would take the case of the Prime Minister himself, and, not to be invidious, of the right hon. Gentleman the Leader of the Opposition also. Would anyone say that both those right hon. Gentlemen had not done as great services to the country as ever Lord Alcester had? Right hon. and hon. Gentlemen had been that day engaged in unveiling the statue of an eminent statesman, who was made a Peer for his long services to the country. Was that statesman given a pension? [An hon. MEMBER: Yes.] The noble Lord opposite (Lord Randolph Churchill) said "Yes." [Lord RANDOLPH CHURCHILL: No; I did not.] Lord Beaconsfield was not given a pension, or rather, he should say, a perpetual one; and, therefore, there was a distinction made between those who were most eminent in the Civil Service of the country and those who had attained to eminence in the Military Service. Why should that distinction exist? The right hon. Gentleman would, perhaps, say that there were a few pensions which could be granted to civilians. It was true that there were a few pensions which could be granted to Ministers; but it must be remembered, in the first place, that such pensions were not hereditary; and, in the second place, that when a Minister was receiving any salary from the State his pension ceased. Now, that was not the case with regard to Lord Alcester. He held that his Lordship was an officer whose services had been very adequately rewarded, and would be adequately rewarded by the rules of the Service. For 10 years or more he had been in command of a Fleet, and the Commander of a Fleet received £3,467 a-year. When an Admiral was not on active service he received £760, and when an Admiral retired altogether from the Navy he received a pension of £850. It was true that Lord Alcester was not commanding a Fleet at the present moment, but he was a Naval Lord of the Admiralty, and in that capacity he received £1,200 per annum, in addition to his Admiral's salary of £760. Consequently, it could not be said that he had been inadequately rewarded; but his Lordship had received more than this. The other day a gratuity was granted to the Naval Forces employed within the waters of Egypt, and while the sailors received £2 each, Lord Alcester received £961. Therefore, he again asserted that Lord Alcester had been rewarded, and adequately so. [*Cries of* "Divide!"] He could well understand that there were a number of hon. Gentlemen, whenever a Vote of Money was proposed, who were ready to cry "Divide!" though the grant of the money should be objected to by the mass of the people. He was not there to discuss the mystery of the Peerage, or the question why, because Lord Alcester had been engaged in this bombardment, his son should be an hereditary legislator. But, as the right hon. Gentleman had told them that, because Lord Alcester had been made a Peer, they ought to grant him a sum of money, to enable him and his son to maintain the dignity of the Peerage, they had a right to look into the matter. If the argument were a sound one, surely the pension ought to be hereditary. What was the difference between the son and the grandson, who would be brought into the world with nothing? The grandson would have the Peerage, but not the pension. If the right hon. Gentleman's argument were a sound one, he ought to have proposed a pension, not for two lives, but in *sæcula sæculorum.* They had often heard about paid Members of the House of Commons, and some hon. Gentlemen thought it would be contrary to the dignity of the House to have paid Members. Why, then, was a Peer, on being created an hereditary legislator, to become a paid Member of the other House? He despised every man who was an hereditary pensioner, for he did not know that anybody gained in dignity by having a pension. Why should a Peer have this kind of outdoor relief? If a Peer received £2,000 a-year for something his father did, the dignity acquired by the receipt of that pension was very much like the dignity of a person who went to the workhouse. That sort of thing was only possible in a Parliament such as the present, which, to his mind, did not represent the country. ["Oh, oh!"] Everyone who had assented to the necessity for a Reform Bill must hold that that Parliament did not represent the country; and if these demands were to be made, the sooner the House was sent about its business the better. He specially objected to the form in which the grant was to be made. Still, if it was to be made, and, as in this instance, they were to gild coronets, let them, in the name of goodness, pay for the gilding themselves. Why should they be lavish at the expense of posterity? Why should they saddle their children, or their grandchildren, with the payment of a pension of £2,000 a-year? If they were anxious to give so much to Lord Alcester, let them pay it at once. It had been boasted by the Prime Minister that he always met his war expenditure by taxation; they had paid for the war out of the taxes, and why should they abrogate that principle in this instance, and charge this £2,000 a-year to future generations? Whatever they gave to Lord Alcester, let them give it out of their own pockets. If there was one thing the country had made up its mind about, it was that it was opposed to the system of hereditary pensions; and the Government, instead of putting an end to those which existed, was seeking to add two new ones. He had no doubt he should be followed into the Lobby by some of Her Majesty's Ministers. He had no doubt that his right hon. Friend the President of the Board of Trade (Mr. Chamberlain) was not prepared to add to the number of those who "toil not, neither do they spin." The right hon. Gentleman would be as much opposed as he (Mr. Labouchere) was to the payment of this money, and likewise to anyone deriving an income—not from unearned increment, that would be bad enough—but from the earned wages of those who did toil and spin. He had no doubt, also, that his right hon. Friend the President of the Local Government Board (Sir Charles W. Dilke), with all those sound principles which he knew so well how to put forward at divers times, would accompany him (Mr. Labouchere) into the same Lobby, and vote for the Amendment. They had heard something about it being the mission of the right hon. Baronet, on entering the Cabinet, to "permeate" his Colleagues with his own particular views; he (Mr. Labouchere) trusted the permeation would have gone so far that not only the President of the Board of Trade, but one or two other permeated Colleagues, would also vote for the Amendment. That war had cost them £4,000,000 or more, and the bombardment of Alexandria had cost the Egyptians several millions; and he thought that was not the moment, and the bombardment was not the occasion, when the country should be called upon to pay anything more for the sake of Lord Alcester. Jingoism was, happily, asleep. Do not let them awake it. He very much feared that Liberals, in many parts of the country, would lose their confidence in the present Government—[" They have lost it ! "]—it was not gone yet—if, instead of putting an end to these bad gunpowder and glory precedents of their Predecessors, they sought to perpetuate them; and what he would have them do instead was to establish good, sound, economical precedents for their Successors. The hon. Member concluded by moving the Amendment of which he had given Notice.

MR. RYLANDS said, he rose with infinite satisfaction to second the Amendment, which had been moved in so able, interesting, and incisive a speech, that there was, he felt, little left for him to say upon the subject. If they passed the Bill now proposed for second reading, it would be a wrong step to take, for its effect would be not merely to make the annuity a charge for the present year, but to place it on the Consolidated Fund, where it would pass out of purview, and become, uncriticized, a burden on the future taxes of the country for an unlimited period. That was the only occasion on which they could discuss the Government proposal, and they were bound to do so in the interest of the already heavily oppressed ratepayers of the country. The Prime Minister attempted to justify that Vote to Lord Alcester by reference to precedents; but those precedents tended to show that Parliament was gradually awakening to the injustice of pensions in perpetuity, which were of a most objectionable character, and acknowledging the importance of getting rid of pensions, either in perpetuity or for three lives. That being so, why should they not now start on a new line, and determine, if they granted any pensions at all in connection with newly-created Peerages, that they should be for the life of the party only? One of the greatest complaints now made was that of the increase of what were briefly called "Non-Effective Charges;" and there did not seem to be anything to justify their making two additions to those charges. The history of the bombardment of Alexandria showed that it was both a serious and a dangerous course that commanding officers should have the discretion to enter upon the operations of war without full and definite instructions from the Government at home. Of late, there had been several instances in which most serious results had followed the exercise of that discretion. By measures of that kind they offered great inducements to commanders to exercise their discretion in a way to bring them honours and pensions. No doubt, in the instance of the late operations in the Transvaal, Sir George Colley pushed forward in the hope of gaining glory and distinction; and if he had not met with death and disaster, which had involved them in difficulties, he would have been rewarded with honour and a pension. Previous to the bombardment, and from the very first, Sir Beauchamp Seymour had, again and again, called the attention of the Government to the necessity that he should, in certain eventualities, have power to bombard the forts; and although the Government at last yielded, yet a short time previously, when he urged that the arming of forts five miles off should be treated as a *casus belli*, the Government had brushed aside his representation. The House ought to bear in mind that the only thing alleged as a provocation for the bombardment was the insufficient fact that two guns were moved by the Egyptian soldiers so as to point on the Fleet, and that consequently the forts were bombarded, although the Commander at Alexandria denied any hostile intention. The mediation of the Consuls General was offered, but was refused by the Admiral, who continued his preparations, even after a suggestion from Lord Dufferin, at Constantinople, that he should communicate with Lord Granville before proceeding to extreme measures. So far from regarding the bombardment as entitling Lord Alcester to great honour, he (Mr. Rylands) thought he was much to blame for destroying the forts without having a sufficient force to protect the city from pillage and fire. After the bombardment, Lord Granville addressed a Circular to the European Powers, to the effect that the British Admiral had acted solely in self-defence. That was the view taken by the Government of what had been done; but how, in that case, could they justify the speech made the other day by Lord Alcester at the Mansion House? Lord Alcester than stated most distinctly that it had long been determined on, and that the only object they had in view was that punishment should be inflicted for the massacres of June 11. That assertion was absolutely contradictory to the statements of the Government, and the House should pause before they granted honours and pensions to an officer who was in that position. From June 11, he said, he was told in distinct terms to do nothing till the European population had left the city. Now, he (Mr. Rylands) wished to know who sent the Admiral those instructions, which, of course, implied that after the departure of the Europeans some steps or other were to be taken. Lord Alcester had gone on to tell his audience at the Mansion House that the last European resident left Alexandria at 4 p.m. on July 10, and the bombardment began at 7 o'clock the following morning. It was obvious that both these accounts of the bombardment could not be correct; that the forts could not have been destroyed both in self-defence and by way of punishment for the massacre. If Lord Alcester's version of the affair was correct, Lord Granville's Circular was misleading, and Foreign Governments had a right to complain of it. If not—and this he believed to be the true state of the case—Lord Alcester had sprung upon the public a new and wholly erroneous account of the transaction, and they would leave their Representatives at every Foreign Court under the stigma of having given an assurance to Foreign Powers which was not true. He had great pleasure in seconding the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the services of Lord Alcester during our Naval operations in Egypt were not of such a character as to satisfy this House as to the desirability of assenting to the proposal submitted to it in this Bill,"—(*Mr. Labouchere,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

LORD HENRY LENNOX said, that, after the speech of the hon. Member for Northampton (Mr. Labouchere), it was absolutely necessary for those who, like himself, knew something of the character and services of Lord Alcester, not to allow the debate to come to a conclusion without the strongest repudiation of the attacks that had been made upon that noble Lord. But for the fact that the hon. Member's speech was enlivened with vivid flashes of humour, he (Lord Henry Lennox) should have deeply regretted that it had been delivered. The fact was, it contained nothing worth comment, beyond the point that, in the absence of his Colleague (Mr. Bradlaugh), the mantle of one who was opposed to perpetual pensions had fallen upon himself. It could hardly be encouraging to officers, either of the Army or Navy, who, in active service, had done their duty with ability, tact, and honour, to find themselves subjected to such ungenerous attacks as that of the hon. Member for Northampton. The hon. Member had wished to fix on the noble Lord that the bombardment of Alexandria was not necessary, and had not taken place with the sanction of Her Majesty's Government; and, in support of his statement, he referred to the retirement of the late Chancellor of the Duchy of Lancaster (Mr. John Bright) from the Cabinet. But the House had nothing to do with the opinions of the Government before the bombardment of Alexandria; for, since that had taken place, they had fully endorsed all that Lord Alcester had done, and they said that his work had been done with tact, cleverness, and humanity. The hon. Member confined his remarks to the bombardment, and passed over all the other great services of Lord Alcester, which he described as transport services. But he (Lord Henry Lennox) would tell the hon. Member that the fact was, the services rendered by the Navy in Egypt were of the highest character, and far greater than mere transport duty; and if the hon. Member had only remembered the accounts given in the daily papers, and especially the admirable ones in *The Standard*, of how the bluejackets toiled, up to their necks in water, building pontoon bridges, and, again, keeping order as police in Alexandria, and the gallant services of the Royal Marine Artillery, when they careered through the country with the iron-clad train, he would have seen, and would have acknowledged, that every branch of the Navy did its duty in the most admirable way. It was absolutely essential that the services of the Navy should be recognized; and in that instance it could not be better done, or in any other way, than by conferring honours on their beloved and gallant Commander.

He (Lord Henry Lennox) repudiated, in the strongest terms, the charge of the hon. Member for Northampton, that what Lord Alcester did was done under a pretext. He made bold to say that Lord Alcester was as incapable of doing anything under a pretext as the hon. Member for Northampton himself. Lord Alcester, he believed, would rather have gone down to posterity as plain Beauchamp Seymour, a gallant, popular, and loved member of the Naval Service; but he knew that he had a duty to perform to others as well as to himself, and that, in this matter, he was the representative of the Navy. It was, therefore, for the honour of the Navy that he had accepted the title and rewards which had been conferred upon him. He (Lord Henry Lennox) differed altogether from the hon. Member for Northampton, when he said that the Vote would be unpopular with the masses of the people, who admired and appreciated the gallantry and daring displayed by our Army and Navy.

Mr. LEWIS said, he wished to say that, so far from having any intention to withdraw from the position he ventured to take up a few days ago, what he had since read, and the communications he had received from many quarters, only intensified his objections to the Bill, and to the whole course of proceedings on the part of the Government with respect to it. He thought his noble Friend who had just spoken (Lord Henry Lennox) was a little mistaken on one point, for there was by no means that unanimity of sentiment on the subject throughout the country which seemed to be supposed. He merely wished now to say that as he did not agree with the remarks of the hon. Member for Northampton (Mr. Labouchere) with respect to Lord Alcester as regarded his conduct and character as a Naval Commander, he would postpone his opposition until the Committee stage, when he should move that the Bill be committed that day six months. Neither did he sympathize with the attacks which had been made upon the soldierly character of Lord Wolseley; but he would say that all these proceedings were part of the programme for glorifying Her Majesty's Government, rather than those distinguished officers. He should, therefore, also oppose the twin Bill, for he believed hon. Members were mistaken in supposing there was not a wide-spread feeling, even among the Conservative Party, against the course now proposed to be taken. If they were to throw away distinctions and hereditary pensions on account of such small proceedings as taking the Fleet into the Suez Canal in smooth water and fine weather, without an enemy to impede its progress, and bombarding a helpless city, then the next great battle that was fought they should have to make the General a Duke right off, and give £20,000 a-year to himself and his heirs for ever.

Sir GEORGE CAMPBELL said, that when the noble Lord the Member for Chichester (Lord Henry Lennox) rose to defend Lord Alcester, he expected that he would explain the extraordinary speech delivered by that noble Lord at the Mansion House. As the noble Lord had not thought proper to do so, he (Sir George Campbell) hoped that some Member of Her Majesty's Government would take the opportunity of doing so. He believed Lord Alcester had entirely done his duty; but it appeared to him that the noble Lord's speech at the Mansion House required explanation. He was very much opposed to giving great pensions on account of military services; and he, therefore, opposed the Bill, on the ground that there was not sufficient reason shown for granting the pension proposed by the Government. He would, however, at the same time, admit that the Army and Navy were not highly paid, their members had not the same opportunities of accumulating fortunes as were to be found in civil life; and, therefore, there was some reason for giving them rewards, provided they were not excessive. In this case he did not see sufficient grounds. He believed that the Government proposed that this grant should be made to Lord Alcester, because they feared that they would incur the displeasure of the Navy if a grant were given to a military officer only. He did not wish to cast any blame on Lord Alcester, who had done his duty well; but he thought the bombardment of Alexandria was not an event of which we ought to be proud, and we ought not to desire to commemorate it. It was a painful incident — doubly painful because it occurred during a Liberal Administration. Lord Alcester, in his opinion, exercised a wise discretion in not landing men on June 11; but his intelligent conduct on that and other occasions hardly entitled him to a pension. As to his diplomatic efforts, all he (Sir George Campbell) had to say was that they were unsuccessful and unfortunate; and, therefore, they could not be held to furnish ground for the proposed grant. He thought that Lord Alcester had been already sufficiently rewarded. As to his son, he would be born in the purple, and, consequently, he would have ample opportunities of marrying an heiress, and if he availed himself of those opportunities he would not want the proposed pension. Many hon. Members, like himself, were not in favour of the manner in which the Amendment had been brought forward by the hon. Member for Northampton (Mr. Labouchere); and he (Sir George Campbell), for that reason, would take a division upon the Motion for the second reading.

Mr. W. H. SMITH said, he was greatly surprised that the speech of the hon. Member for Northampton (Mr. Labouchere) had not been answered and met with indignant denial by some Member of the Government. He could not help remarking that it was a curious thing that the hon. Member for Northampton and others who now supported him below the Gangway were the men who supported Her Majesty's Government in negativing a Motion from the Opposition side, expressing regret that it had become necessary to have recourse to those proceedings in Egypt; and yet they could use language which involved severe censure upon the whole policy of the Government in connection with Egypt, for the speech of the hon. Gentleman the Member for Northampton was far more an attack upon the Government than it was a derogation of the conduct of Lord Alcester. It was, therefore, to be somewhat wondered at that it should have been left to the noble Lord the Member for Chichester to defend Lord Alcester; but the noble Lord had done so, and fully vindicated him at the same time. What, he (Mr. W. H. Smith) asked, were the facts of the case? He was not there to endorse the action of the Government, which had led to the Egyptian Campaign; but he wished to point out that Admiral Sir Beauchamp Seymour carried out the distinct orders of the Government, with whom he was in constant telegraphic communication, hour by hour, and every step he took, they approved of. In fact, Her Majesty's Government were solely responsible, therefore, for every step taken by Lord Alcester during these operations. [Mr. Gladstone: Hear, hear!] Had Lord Alcester done his duty promptly and efficiently, had he exercised the judgment, skill, and tact, belonging to the position of a Naval Commander under the circumstances in which he had been placed such as to entitle him to the distinction and reward Parliament was asked to confer upon him? That was the issue actually before the House, and no one dared to say that he had not. Whether the Government had taken a strong view or not of the services of the General and Admiral commanding in the late Expedition, to say that Lord Alcester and Lord Wolseley were not to receive the pension sought to be given to them for their services was practically to cast censure upon those distinguished officers. ["No, no!"] He (Mr. W. H. Smith) said, yes; for the question before the House was whether Lord Alcester commanded the forces entrusted to him in a manner which reflected honour and credit on the Service of which he was a distinguished ornament. It must be remembered that the pay and reward received by officers engaged in the Army and the Navy was very small compared with the incomes of gentlemen who entered civil professions; and, therefore, in the event of a war involving the expenditure of life and treasure, the issue of which depended upon the exercise of tact, judgment, and discretion on the part of those who were placed in the position of directing the necessary operations, and in which their action might involve an enormous expenditure of public money, it was only right, when they brought the operations which were entrusted to them to a successful and speedy termination, that the country should reward their services liberally, and somewhat beyond the pay and ordinary reward accorded in the ordinary discharge of their duty. It was not because he approved of the policy of the Government, but because he believed Lord Alcester had rendered services deserving of special recognition, that he should support the second reading of the Bill.

Mr. JOSEPH COWEN said, he knew the House was anxious for a division, and he would, therefore, put what he had to say into half-a-dozen sentences. He was in general agreement with his hon. Friend the Member for Northampton (Mr. Labouchere) on most political questions, and with his dislike of hereditary pensions he quite sympathized; but he could not help saying that he thought the speech his hon. Friend had delivered that night, although an able one, was somewhat ungracious. There ran through it a certain spice of shabbiness towards a public servant which he (Mr. Cowen) did not think it was desirable for anyone, but especially the House of Commons, to manifest. He wished to ask his hon. Friend if he would not withdraw his Amendment and take a division against the Bill? By doing that he would divest the debate of all personality, and not deprive the principle he was contending for of any force. The two Commanders, Lord Alcester and Lord Wolseley, were commissioned by the nation to do a certain piece of work. They did it expeditiously; they did it thoroughly; they did it well. We had applauded their skill; we had honoured their valour; and we now proposed to reward their success. We did this entirely irrespective of the objects of the enterprize. He was opposed to the Egyptian War. He believed it to be unnecessary—if he cared, he might use a much stronger term to express his disapproval. All the purposes the Government had in view by it could have been served without a resort to arms. The plan for settling Egypt, which the Ministry had agreed on, was only a pale copy of Arabi's programme. They had better have carried it out with Arabi, rather than by the Pashas now in power. But, even if interference was necessary —and he was now speaking from the Government standpoint, not his own— they were too long in interfering. A bucket of water thrown upon a fire, when the embers were just igniting, would put it out; but if the fire was allowed to get ahead it might destroy both life and treasure. The little fire that, according to the Government, was originated in a Cairo barracks, could easily have been extinguished, if grappled with in time. Instead of that, they allowed it to burst into a conflagration, which burnt Alexandria, and laid all Lower Egypt in ruins. But whether the war was, as he contended, unnecessary, or it was, as the Government contended, necessary, did not affect the question at issue. Lord Alcester and Lord Wolseley were no more responsible for the Ministerial policy in Egypt than they were for the Ministerial policy in Ireland. The Cabinet started the war, Parliament sanctioned it, the country supported it, and these two officers carried it to a successful result. It was because they were efficient servants of the State, therefore, and not because he approved of the policy of the war, that he was willing to accord any reasonable emolument to the two Commanders. He objected, however, to the way in which the Government proposed to confer their rewards. The House had passed a Resolution, only a few days ago, practically expressing disapproval of the plan of pensions. They had also declared that it was in accordance both with national interest and national morality that the generation that made the war should pay for it. This declaration had been repeatedly made by the Government during the last few years, and emphasized during the last few days. He knew they might as well hope for constancy in the wind, or for corn in chaff, as to secure consistency in Party politicians; but it was not customary for even Party politicians to run so diametrically opposite to their solemn declarations in so short a time as the Government seemed disposed to do. He did not quarrel with the amount they were going to give. That was a question for the Executive to settle, and he was quite certain that the country was never benefited by stinginess in dealing with its servants. The amount of money proposed might be too large for the service rendered; but he would not quarrel about that. What he quarrelled about was the plan of giving it. He objected absolutely to the principle of hereditary pensions, and he believed the people wished to be quit of them. Let the Government capitalize the amount, and give Lord Alcester and Lord Wolseley each a lump sum at once. It was in that sense he would vote. He would not vote for any Resolution that conveyed a personal slight, or that could be twisted into an offensive reflection upon either one Commander or the other; but he would certainly vote against the most objectionable plan that the Government proposed for still further adding to our already too numerous hereditary pensions.

Colonel NORTH said, he most sincerely deprecated the spirit in which the proposal to reward these distinguished officers had been cavilled at. The House, on former occasions, generally used to be unanimous in giving their assent to such proposals, and he had never before heard such wretched wrangling as was now taking place. Never in the course of the history of the country had the Army and Navy of Great Britain shown themselves more efficient than they had done under the command of Lord Alcester and Lord Wolseley. It was entirely owing to the exertions of those two officers that the Egyptian Campaign had been brought to a rapid and a successful conclusion, which had reflected honour upon this country. No doubt many of the troops engaged were young, but they had conducted themselves most gallantly. He could not agree with the hon. Member for Londonderry (Mr. Lewis) as to the general opinion of the country in this matter, for he thought it would be a pleasure to the country and a pleasure to that House to recognize the services of these gentlemen.

The CHANCELLOR of the EXCHEQUER (Mr. Childers) said, he wished to express his regret that the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) should have made the observations that he had done with respect to the fact that no Member of the Government had risen earlier in the debate in defence of the measures now proposed to the House. As regarded himself, he (the Chancellor of the Exehequer) had not risen earlier because he had seen that several hon. Members on both sides of the House were desirous of addressing it; and he had thought it his duty to wait and hear what they had to say before he rose to speak on the question. Turning to the main question before the House, it would be impossible for him to express the satisfaction with which the Government had listened to the speech of the hon. Member for Newcastle (Mr. Joseph Cowen). The hon. Member had put the question exactly upon the right ground; because he had said that officers doing their duty to their country deserved to be rewarded. The hon. Member was also quite right in saying that this was not a question as to the propriety of the action of Her Majesty's Government in connection with the Egyptian Expedition, but solely whether these officers had done their duty, and whether they ought not to be rewarded. The question which the hon. Member had raised, as to whether these officers could receive a pension for one or two lives, or a lump sum in lieu thereof, was one that ought to be discussed in Committee, as it involved a mere matter of detail, which could not be properly discussed on the second reading of the Bill. When the measure got into Committee, Her Majesty's Government would be prepared to state their views on the proposal of the hon. Member. After what the hon. Member for Northampton (Mr. Labouchere) had said with reference to the speech of Lord Alcester at the Mansion House, it was absolutely necessary that the facts should be put clearly and unmistakably before the House. He (the Chancellor of the Exchequer) was at the Mansion House and heard the speech in question, and he did not derive from it the same idea which his hon. Friend seemed to have derived from the newspaper report. What he understood Lord Alcester to say was, that it might have been in his power, with a very small force, to protect the persons who were in danger during the riots, but that it would have been most imprudent to do so with so large a number of Europeans—not British subjects only—in Alexandria, and that such an action on his part might have had a disastrous result; and then Lord Alcester went on to explain how he acted when he endeavoured to obtain redress. There was not one word in what fell from Lord Alcester expressive of dissent from the course taken by the Government; but he merely gave good reasons why what, at first sight, seemed to be the natural course could not be followed. As regarded the general feeling on this point, it had been put very clearly by a certain newspaper to the following effect:—

> "It is thought that Sir Beauchamp Seymour has shown great want of energy. He was left to act as he pleased, and he ought to have been pleased to land his Marines when an English Consul and some of his own officers were being beaten by a crowd of Arabs. Moreover, he ought never to have allowed earthworks to be erected defiantly under his guns."

Mr. LABOUCHERE asked in what newspaper that had appeared?

The CHANCELLOR of the EXCHEQUER (Mr. Childers), in reply, said, it had appeared in a newspaper which was, perhaps, but little read by the hon. Member for Northampton; but which, nevertheless, he would not think badly of, and was called *Truth*. That was the natural feeling at the time of a great many who took an interest in the question; but Lord Alcester had acted solely in accordance with his instructions. If hon. Members would refer to the Blue Book, they would see that Admiral Seymour kept the Government thoroughly informed of his proceedings; that the Government gave him strict and precise instructions; that he acted upon those instructions, and that the Government were responsible for his acts; and that, in their opinion, Admiral Seymour was entitled to the greatest credit for having carried out those instructions with thoroughness and efficiency. If the reasons why the gallant Admiral should not receive that pension were not stronger than those which had been urged that evening by the hon. Member for Northampton, he hoped the House would override those objections, and read the Bill a second time.

Sir JOSEPH PEASE said, it seemed to him that what the hon. Member for Newcastle (Mr. J. Cowen) stated was true—namely, that these officers did their duty, according to the instructions they received from Her Majesty's Government, to the best of their ability, and that it, therefore, rested with Her Majesty's Government to propose for them such rewards as they thought the circumstances warranted. He had not voted with the Government in any of the divisions relating to grants for the Egyptian War; and what he did object to generally was granting money for a war which he thought might have been avoided, and a war which would be looked back upon by posterity as needless and unnecessary. He objected to this Bill, specially, because of the expense entailed upon the future. The right hon. Gentleman the Chancellor of the Exchequer treated it as if it were only a trivial matter. He (Sir Joseph Pease) did not wish to deprive men of the reward which they had earned by the performance of duties to their country; but he treated it as a matter of principle that they should not impose upon posterity any portion of the costs accruing from a war which, in all probability, posterity would utterly condemn. Taking the question as an Annuity at 3½ per cent, they would have no less a sum, in the one case, than £30,000, and in the other of £20,000, supposing an annuity of £2,000 per annum was in each case commuted for one life. He was aware that neither of the noble Lords had any "heirs male of their bodies lawfully begotten;" but he objected, on principle, to inflicting on the next generation the payment for the follies of the present; and, further than that, in the proposed pension, they were actually putting a premium on a noble Lord to go and get married. He could not see why the House of Commons should be speculating with the people's money to provide a pension for children not yet begotten. Posterity would have for some years to come to pay for the actions of the present Government in Egypt in meeting the annual grant on the Estimates. He would prefer paying cash down, and if that was proposed he should not vote against it, as part of the pay of those employed by the Government in the Egyptian War; but, in its present form, he must vote against the Motion.

Mr. D. GRANT, in objecting to the Vote, said, he was, on the previous night, speaking at a large meeting, where the audience, without exception, demurred to this Vote, not that they did not wish to give courage its natural reward, but because the mode of the pension was unsound in principle, and worthless in practice. Both noble Lords had done their duty well; but duty was well done in that House, and in every part of the country, by people who did not expect to be made Peers. For that reason he should vote for the Amendment.

Mr. O'DONNELL said, he thought that Lord Alcester's eloquence was itself to blame for much of the opposition which the Bill had encountered. The interpretation put upon the gallant Admiral's statement at the Mansion House by the hon. Member for Northampton (Mr. Labouchere) was a much more probable one than that suggested by the Chancellor of the Exchequer. It was true that Sir Beauchamp Seymour acted at the agent of the Government; but he sought out every opportunity for getting up something like the semblance of an excuse which would warrant Her Majesty's Government in bombarding Alexandria. In fact, he did everything in his power to provoke a collision between the enormous Forces of England and the puny Forces of the Egyptian National Party. It was clear from the despatches that Sir Beauchamp Seymour had instructions from Her Majesty's Government to provoke a collision with the Egyptian National Party at the first expedient moment; and they had the statement of Sir Beauchamp Seymour himself at the Mansion House that that expedient moment arrived when the last of the foreign settlers had been removed from Alexandria, and the way was thus opened for the brutal exhibition which took place within a few hours of the sailing of the last emigrant ship. Sir Beauchamp Seymour must then have been in possession of the official information that the forts of Alexandria were in such a condition that they could not offer any effective resistance to such a bombardment as he had the means of inflicting. From the authentic information in possession of the War Office, the Government knew well that Fort Meks and Fort Napoleon were in ruins, and were in no condition to offer any resistance to a European Fleet. The statement that Sir Beauchamp Seymour took care to do the least damage to the town was not reconcilable with the fact that his Fleet was between two and three miles distant from the shore, and that the correspondents of *The Times* and other papers testified at the time that the shells passed over the forts, burst in the town, and set it on fire; and these reports would be abundantly confirmed by the confidential reports as to the accuracy of the firing. It might be that the miserable and beleaguered population and the frantic soldiers, wounded in an engagement which the Prime Minister carefully avoided describing as an act of war, afterwards set fire to the European quarter of the town; and that was not surprising, and should not shock those who, within the last few days, had suggested that outrages by Irishmen might lead to horrible retaliation on unoffending Irishmen. It was an electioneering war, and this was an electioneering Bill, to direct the attention of the people at large to the great foreign triumph of a great British Ministry. The most ridiculous pretence of all was that of the capture of the Suez Canal, which the Egyptians regarded as sacred under something like an international guarantee. Altogether, Lord Alcester had the meanest and most miserable office that was ever thrust on a Naval officer. The reason why attention was called to Lord Alcester's exploit was that the Government were still trading on their Egyptian successes. He had endeavoured to discuss the question on its exact merits; but it involved also questions of the utmost moral gravity. To seize Egypt and the Canal the Government had not shrunk from committing an act of international piracy, a gigantic dynamite outrage; and there were no criminals—he said it deliberately—more deserving of execration than the authors of this miserable crime. He only begged Englishmen and Irishmen, who might justly be shocked at horrible rumours of explosions, to think of the masses of Egyptian flesh and blood that were torn by the flying mines of the *Inflexible* in that massacre which was ordered by the most infamous of all policies.

Mr. MONK said, he desired to express dissent from everything which the hon. Member for Dungarvan (Mr. O'Donnell) had stated in condemnation of the necessity of a war with Egypt, and of the conduct of Lord Alcester in bombarding Alexandria. He denied that the war in any degree partook of an electioneering character; and, so far from the Bill they were then discussing being an electioneering Bill, he believed that a considerable portion of those who generally supported the Government were opposed to it. But his chief object in rising was to say that he agreed with the hon. Member for Newcastle (Mr. J. Cowen) in the statement that it was the wish of many hon. Members on the Ministerial side that the hon. Member for Northampton (Mr. Labouchere) should withdraw his Amendment and allow the division to be taken on the second reading of the Bill. He hoped that this would be the last occasion on which a continuous pension would be proposed, and he believed that the discussion to-night would be the death-blow of hereditary pensions. He could scarcely believe that the voice which moved the second reading of this Bill was the same that echoed through Mid Lothian three years ago. Foreign nations would look upon this proposal as indicative of our national decay, as it seemed to show that we were only too proud of being able to overcome any enemy, however contemptible he might be. Why should not the Prime Minister give life Peerages to this gallant Admiral and gallant General as he had done to Law Lords, and then there would be no occasion for a pension beyond the life of the recipient? He would vote against the second reading of the Bill. He should prefer that a lump sum should be given to Lord Alcester and Lord Wolseley, as had been done in the case of Sir Frederick Roberts.

Mr. SEXTON said, that it was remarkable as Bills of this kind were proposed they were opposed each succeeding time with greater vigour, stubbornness, and determination. He believed with the hon. Member who had just spoken that the discussion to-night sounded the knell of hereditary pensions. Three times within the last few years the question of pensions had been discussed in that House. The first time the discussion occupied half-an-hour; the next time between two and three hours; and on this occasion it was likely to occupy the whole Sitting. When that was the case he would be a courageous Minister who should venture upon a renewal of the course taken by the right hon. Gentleman. The Prime Minister himself did not venture upon argument, but founded himself solely upon precedents. If any argument was to be drawn from the instances which the Prime Minister furnished to the House, it was that the pensions should be granted for one life only. There was, indeed, something revolting to reason in the notion of these hereditary pensions. What assurance had they that the second Lord Alcester, even if there ever was such a person, would have either the brains of an Admiral or the heart of a soldier? There was no moral symmetry in the plan proposed. If the claims of the first Member of the Peerage upon his country were so great as to call upon it to support him and his descendants for all time, let it be so; but to grant a pension for two lives only, leaving the third and every future Lord Alcester to remain in poverty, was clearly inconsistent. It might, perhaps, be said that they had no right to look at the war from any but a professional point of view. He did not agree to that. As a Representative of the people, he was bound to consider, not only the professional value of the services rendered, but also the moral nature of that struggle in which they were rendered; and in that view this proposal was doubly objectionable—first, because of its nature; and, secondly, because it was that of the Liberal Government, on whose banners were emblazoned the words, "Peace, Retrenchment, and Reform." If a Government of reform meant anything, it meant a Government of uprising against the faults of old times; and they were now called upon to confer a pension upon a person whose only claim to reward was that he was a competent agent of the vices of war—one of the worst vices of the age. This war was undertaken by a great Empire against a people whose whole population was only equal to that of the City of London, and was maintained by the most boastful people of the West against the most effeminate nation of the East. It was a vicious war, a bad act, and a vile example. But what were the services of Sir Beauchamp Seymour? If his frank speech at the Mansion House was to be taken to prove anything, it proved, first, that the bombardment of Alexandria was not an act of precaution at all, but was a measure of reprisal and revenge. This gallant Admiral owned that he was compelled to wait until the Europeans were out of the way before, from a safe distance, he knocked into pieces the mouldy old fortresses of the Egyptians, and slaughtered the helpless people. He rejoiced that the claim had been vigorously and manfully met, and he opposed it even on grounds of policy. What would foreign nations think when they saw this country bestowing such great rewards for such paltry military services? The proposal was a sin against the working classes, whose food was taxed to pay for such charges, and would expose the country to the ridicule of foreign nations.

Mr. ILLINGWORTH said, he could assure the Prime Minister that the feeling of the country was altogether different now from the time when such Votes had only to be proposed to be voted as a matter of course. No Member had risen to defend the proposal, except—as, perhaps, was to be expected and was a matter of course—one or two hon. Gentlemen on the Front Opposition Bench, an ex-official below the Gangway (Lord Henry Lennox), and a gallant Colonel, who was interested in military matters. He wished to emphasize the remarks made by several hon. Members that on that night would be rung the death-knell of hereditary pensions. He could not comprehend how it was that the Prime Minister and the Government had run so completely in the teeth of their own professions and declarations, that every year should pay its Military Expenditure. On this principle they threw the cost of the war in Egypt, nearly £4,000,000, on the year's charges; but in this matter they completely violated that principle. But he would go one step farther, and wanted to draw the attention of the House to an aspect of the question which had not been considered. For his own part, he would care very little for the honours and titles given to Lords Alcester and Wolseley, if it were not for the fact that they were making them legislators in "another place," and conferring upon their families a position which they, who sat on his side of the House, feared might be exercised against the popular wishes. He hoped the hon. Member for Northampton (Mr. Labouchere) would not withdraw his Amendment. He believed that the war in Egypt might have been avoided; that Lord Alcester was infinitely too sensitive as to the strength of the earthworks, and about the mounting of a few additional guns at Alexandria. They might well tremble for the fate of the British Fleet if it should ever encounter an enemy of equal power, or weight of metal, if it was necessary to believe that the Fleet was in danger from those miserable armaments of the Egyptians. The Prime Minister, with a touch of that marvellous portrait painting in which they knew he was peerless, referred to the conduct of Sir Beauchamp Seymour when in charge of the English Fleet on the coast of Albania; but most of them on that side of the House rejoiced that the gallant Admiral did not on that occasion proceed to extremities, and they wished he had used similar forbearance at Alexandria. The honours already granted to the gallant officers referred to were fully adequate to the services they rendered in Egypt. Sir Frederick Roberts, who was in infinitely greater danger, was obliged to content himself with a grant in the ordinary way, not a third of that which was proposed in the present case. The Prime Minister had wholly exaggerated the difficulty, danger, and arduousness of the services rendered by Lords Alcester and Wolseley; and he could not help thinking that it was because he had some anxiety as to the quarrel in which they were engaged. It was a war of his own origination; but he (Mr. Illingworth) wished he could see their way through the political dangers which would arise from it. It was the fashion to laud to the skies the gallantry of our soldiers and sailors. He did not deny that there was great gallantry shown by our Forces in Egypt, but it was characteristic of the race; and he believed it was the Duke of Wellington who said that "there was nothing in the world so plentiful as animal courage." That was his explanation of the whole question; and there were acts done daily among the people—among the working classes—very much more heroic and more deserving of notice and reward than those done in war. The Government might be sure of carrying their proposal, because they could rely on the military Gentlemen on the other side of the House, and on the landlord class; but he would point out to the Prime Minister that when the Division List came out, it would be seen that those who represented the great constituencies, and those who came into contact with the working classes, were not very enthusiastic about the war or the rewards following it. The change noticed that night in the way such matters were now treated in the House of Commons was only a slight indication of the revolution that was taking place with regard to them; and any Ministry, no matter by what professions they might have reached power, who could not in the future escape from such political difficulties as presented themselves in Egypt without making active use of our Army and Navy, would surely lose the confidence of the people of this country.

Mr. ASHMEAD-BARTLETT said, the question of the justice or injustice of the operations in Egypt had nothing whatever to do with rewarding the soldiers and sailors engaged in them. The duty of the Army and Navy in this, as in other wars, was simply to fight against those who were declared to be enemies of the country; and if that duty was discharged well no nation with self-respect could refuse to bestow honours. The duty of hon. Members opposite, if they disapproved of the War, was not to try to pick holes in the conduct of the Admirals and Generals engaged in it, but to propose a Vote of Censure on the Government, to have gone into the Lobby against the Vote of Credit, and to have impeached the Egyptian policy of the Government. He sympathized entirely with those who would have impeached that policy; but he could not join in any action which, after the Government had entirely and completely, as the Prime Minister had done that night, thrown their *ægis* over the gallant Admiral and General, would refuse to grant rewards to the Officers in question. While he should not think of opposing the proposed pensions, he could not refrain from pointing out that they were disproportionally large when compared with the grant made to Sir Frederick Roberts, whose achievements in Afghanistan were far greater than those of Lord Wolseley and Lord Alcester in Egypt. Sir Frederick Roberts reduced to subjection a very valiant people, in spite of great difficulties arising from the mountainous nature of their country, and from the distances to be covered, and in spite of the disadvantages of a severe climate. Egypt, on the other hand, was one of the most accessible countries in the world, almost surrounded with water, and its people were well known to be the most cowardly nation existing. The hon. Member was referring to the difficulties of the march from Cabul to Candahar, when——

Mr. SPEAKER: I must point out to the hon. Member that the Question before the House is whether a pension should be granted to Lord Alcester, and not the campaign in Afghanistan.

Mr. ASHMEAD-BARTLETT explained that previous speakers had enjoyed great latitude in their criticisms. He had thought it was pertinent to compare the rewards given to the Generals engaged in the more difficult Afghan Campaign with the Votes now proposed, as a test of their justice. He should not oppose the grant, although he could not help thinking that the large pension to be conferred on Lords Wolseley and Alcester was proposed because their services in Egypt had thrown a glamour of success over the policy of the Government at a time when they were rapidly losing ground in the estimation of the public.

Sir EDWARD J. REED said, he could not sympathize with those hon. Gentlemen who attempted to minimize the importance and significance of the late operations in Egypt; but he could sympathize with the feeling which induced men to oppose Military and Naval pensions on the ground that officials highly distinguished in civil life could not hope for similar reward. As had already been said, nothing was more common than animal courage; and if they were asked to honour courage of that kind now he should unhesitatingly oppose the Bill. But he considered that Lord Alcester had shown remarkable ability in conducting the Naval operations under new conditions of Naval warfare; and it was not in the power of any Member of the House to estimate at their full value the skill and tact which the gallant Admiral had shown when holding the command of the combined Fleets of several European Powers off the coast of Albania. Then the successful transport of the Army from Alexandria to the Suez Canal was in itself a very meritorious achievement, for a great power of organization was required to conduct that operation without disaster. The very small number of deaths and casualties in the Fleet was due to the fact that in the employment of the ironclads against the shore batteries the men were withdrawn from the armoured decks and placed under the shelter of the armour plates, so that the small mortality, instead of being evidence of an insignificant engagement, ought rather to be regarded as a triumph of modern science in our Naval construction. He was at a loss to understand why the House was to set up so dangerous a standard as this—that, unless an Admiral lost a great number of lives, he had no claim on the House. In these days the very reverse ought to be the case. On that occasion they had the opportunity of expressing their admiration and gratitude to a man who had conferred great services on his country, among which was that he had proved that, notwithstanding the vast changes that had befallen our Navy, there had been no change in our Admirals and Commanders, but that they were as capable as ever to support and maintain the dignity of the country.

Lord RANDOLPH CHURCHILL said, it was his intention to support the second reading of the Bill, because he understood the Leader of the Opposition expressed the intention the other day of supporting the Prime Minister in his proposal. But he was bound to say that if the Leader of the Opposition had seen his way to differing from the Government on this point there were some Members below the Gangway who would have seen their way to strengthening his hands in so doing. But, looking at the whole circumstances of the case, he himself thought that if the Leader of the Opposition supported Her Majesty's Government on this occasion he would be acting wisely and well. One matter mentioned by the hon. Member for Northampton (Mr. Labouchere) had not been satisfactorily cleared up by the right hon. Gentleman the Chancellor of the Exchequer—namely, the reason for the bombardment of Alexandria. Lord Alcester said at the Mansion House that it took place because of the massacre of June 11, and he never gave the slightest hint that he at any time considered the British Fleet to be in the smallest possible danger. On the other hand, the President of the Local Government Board, then Under Secretary of State for Foreign Affairs, stated last July that the reason which the Prime Minister gave was the same that he had given on a similar occasion—namely, the safety of the Fleet and the absolute necessity for preventing the erection of further fortifications. The hon. Member for Northampton made this a ground of attack on Lord Alcester; but he (Lord Randolph Churchill) did not wish to do so at all. He was a sailor, and had to obey orders, and he did so; and in that remarkable utterance at the Mansion House he spoke the honest truth in a blunt way, as sailors did. Now, there could be no doubt that, when the statement of the President of the Local Government Board he had referred to was made in the House last year, the House was being hoodwinked and misled. That was one of the most valuable results that had been obtained by this debate. He did not wish to refer to the case of Sir Frederick Roberts, except to say a word. There could be no doubt that the treatment of that officer by the Government was shabby and mangy in the last degree. The reasons for that were perfectly well known. They were because he was engaged in a war which the Government were opposed to, and also because he was supposed to be a political opponent of the Government and directly opposed to them on the question of long or short service. But that had nothing to do with the question then before the House. Some hon. Members appeared to treat this as a matter personal to Lord Alcester; but he looked at it rather in the light of a compliment to the entire Navy. No doubt the sailors of the Navy looked on a Commander who shed lustre on the Service with pride, and even with affection, and his rewards were regarded equally as rewards to the Navy; and he thought there was nothing more likely to make British sailors in the future emulate British sailors in the past, than for the Government to reward on a large and liberal scale the services of their Commanders. Every sailor ought to remember that it was in his power, by daring and good fortune, to rise to a position as high as that occupied by Lord Alcester, and to win even greater rewards than he had won. He would invite the House to remember Sir Cloudesley Shovel, who rose from the position of a cabin boy to that of an Admiral of the Fleet, and received a reward and pension from that House. That was the light in which they should regard this matter. If it was to be regarded only in the utilitarian view of the hon. Member for Northampton, he admitted the force of his objection. He himself looked on it in the light of a reward conferred by the House of Commons on the Navy—a reward which the Navy would understand. There was only one other point on which he would comment. The hon. Member for Northampton looked disparagingly on Lord Alcester, and said he was sufficiently rewarded by having had the pride and pleasure to command the British Fleet. No doubt it was a sort of pride and pleasure to command such a Fleet, but hon. Members must remember that it was also a great source of anxiety; and although an Admiral or a General might be entitled to a recognition of his services, yet, if misfortune happened to the Fleet, or the Army under his command, the country would certainly take a very unfavourable view of his conduct. If, for instance, the ships before Alexandria had been sunk, it would have been a matter of serious consideration whether he should not be brought before a court martial. An Admiral carried in his hand, not only his own honour, but also the honour of the country; and if he succeeded in extricating the country from a difficult position, he was surely entitled to that reward which the House of Commons had conferred in similar cases in days gone by.

Mr. CAMPBELL-BANNERMAN said, that much of what the noble Lord the Member for Woodstock (Lord Randolph Churchill) had said was so directly pointed against the policy of the Government that it deserved a reply. The noble Lord had quoted a speech of Lord Alcester at the Mansion House on a recent occasion as containing a reason for the action taken by direction of Her Majesty's Government before Alexandria, and had said that, having regard to that speech, the Government had hoodwinked and misled the House in the matter. As to the speech made by Lord Alcester, he did not know whether the noble Lord was present in the House when the Chancellor of the Exchequer made some remarks upon that speech. He had himself had an opportunity of obtaining from Lord Alcester an explanation of what he really meant. Lord Alcester did not mean to imply that the bombardment of the forts was in revenge for the riots. He said that when those riots occurred, there was a great and not unnatural impatience in this country. The country and the Fleet were supposed to be indignant, and Questions were at that time addressed to the Government in the House, which manifested a feeling of irritation, because no steps were taken to avenge the outrage to the country. Lord Alcester said it was impossible to take any active steps, because there was so large a population of Europeans in Egypt whom it was necessary to get out of danger before anything was done. That was the whole point which Lord Alcester had made in his speech at the Mansion House. But as to the bombardment of Alexandria, it became necessary on account of the threatening character of the preparations which were being made by the Egyptians. It was said that some of the forts were in a dilapidated and crumbling condition. No doubt they were; but they were being repaired, and the Admiral discovered that men were employed day and night in repairing them. The House would remember that we had a certain number of ironclads and a certain number of wooden ships lying in the harbour of Alexandria, commanded by the forts; but, above all, the narrow exit from the harbour was commanded by forts of considerable strength. All that the Egyptians were asked to do was temporarily to surrender these forts, in order that it might be seen that they were not being armed against us, or that they should be disarmed. That was a very simple matter. There was no threat of bombardment as a strong ulterior measure, except on that very reasonable request being refused; and it was because of that refusal, and seeing that a further strengthening of the forts was proceeding, that the order was given for the immediate destruction of those defences. He had said enough to show that, the Government being in communication with Sir Beauchamp Seymour at that time, their efforts were directed against the forts, and had nothing to do with wreaking vengeance for what had taken place a month previously. He was especially anxious to make these few remarks, because at the time the Chancellor of the Exchequer was addressing the House there were very few Members present.

Sir WILFRID LAWSON said, he was greatly pleased at the direction the debate had taken. He thought there was now some hope that the Liberal Party would become regenerate, and would return to those safe and pleasant paths of Peace, Retrenchment, and Reform, from which, in a fatal moment, they had been led away by the Ministry last July. He was glad to hear the Speaker give a hint to the hon. Member for Eye (Mr. Ashmead-Bartlett) that the debate might be continued with regard to the case of Lord Wolseley. He hoped the debate would be kept up at least as long as the Irish Party kept up their debates. The House had heard precious little in the way of argument in favour of this Vote. Almost the only defence of the Vote had proceeded from the Prime Minister. Where were all the right hon. Gentleman's lieutenants? He was surprised to hear the right hon. Gentleman talk of precedents. What did the Liberal Party exist for but to get rid of evil precedents, and to make good ones. If that Party existed for anything else, it was a sham, a mockery, and a delusion. He was opposed to this Vote, but not on any cheeseparing ground, nor from any desire to deal niggardly with public money. There were some things he would vote money for cheerfully. He would vote with great pleasure a large sum to the widows and orphans of the poor soldiers who lost their lives in their country's cause, and a still larger sum to the widows and orphans of the poor Egyptian soldiers who fell fighting for a far better cause. There were also some objects to which he would cheerfully vote honours. For instance, he would give an honour to the Leader of the Opposition (Sir Stafford Northcote). In his opinion, the right hon. Baronet had done far nobler work in his lifetime than either Lord Wolseley or Lord Alcester. He referred to the time when the right hon. Gentleman went out, as one of the Commissioners, to settle a great question without war, to settle it like a statesman and a Christian as he was; and if he (Sir Wilfrid Lawson) were on the Treasury Bench, it would give him pleasure to vote the right hon. Gentleman £20,000, and make him a Duke besides. On some grounds it would have been better if the House had had both Bills together, as he should like to have shown—apart from any personal question—that there was nothing especially useful, meritorious, or glorious in the services which had been rendered by Lords Alcester and Wolseley. But as the Bills were separate they must take them separately, and ask what rewards it was desirable to give to each man separately. It was like the parable of the labourers who got one penny each. That was very well in those days. But he was speaking in a representative Assembly, and they ought to exercise discrimination, and reward men according to their services. It appeared to him absurd to say that the services of Lord Wolseley and Lord Alcester were on a par with regard to the Egyptian business. One great difference was that Lord Wolseley carried out his instructions perfectly, successfully, and rapidly. He had nothing to do with the cause of the war. But the charge against Lord Alcester was that he—[An hon. MEMBER: Oh!] His hon. Friend would have an opportunity of replying. He said that Lord Alcester was responsible for the outbreak—well, he must not call it a war—if he did, he might offend the sensibilities of hon. Gentlemen on the Treasury Bench—but the military operations. We ought to have some clear understanding why that bombardment had been commenced. Two theories were set up. One was that something was being done to the guns. The other theory was that it was to avenge the massacre which had taken place a month before at Alexandria. There was a difference of opinion on the Treasury Bench itself. His hon. Friend (Mr. Campbell-Bannerman) had said distinctly that the bombardment had nothing to do with revenge for the massacre. But what did the Prime Minister say, on the 12th of July, was the immediate object of attack? The Prime Minister, referring to himself (Sir Wilfrid Lawson), said—

> "Does my hon. Friend bear in mind the massacre which occurred in Alexandria a few weeks ago; does he bear in mind that that massacre remains down to the present moment wholly unexamined, and unavenged?"—(3 *Hansard*, [272] 177.)

Lord Alcester was, it appeared, after dining with the Lord Mayor, clearer in his head than his right hon. Friend appeared to think he was. Perhaps the after-dinner speech of Lord Alcester was more likely to be correct than the after-dinner speech on the Treasury Bench. They knew the Government did bombard Alexandria—he used to be called to task when he talked about the bombardment of Alexandria; but they (the Government) were coming round. The events in Egypt used to be called a military operation—it would be a war before they had done. His right hon. Friend had talked that evening about belligerents. They would soon have the whole thing in its historical sense. His right hon. Friend had said that that bombardment was no inconsiderable event in the history of naval warfare. He did not know that, but he knew it would be a considerable event in the history of the Liberal Party in years to come. He knew the war was popular; well, no—it was beginning to be unpopular. They all knew about Conservative re-action. There was, he hoped, a Liberal re-action setting in on this question now. He (Sir Wilfrid Lawson) had been at Newcastle the other day, and he met with a very staunch Liberal, a regular "Peace, Retrenchment, and Reform" man. He spoke to the man about the war, and the man said it was the most popular thing the Government had ever done. "Why," he said, "that trooper who cut a man through the middle at a blow was a Newcastle man." He had afterwards spoken to his hon. Friend the senior Member for Newcastle (Mr. Cowen), an excellent man, but of Jingo tendencies, and had asked whether it was true, and he replied—"Perfectly true; I gave the man a sovereign myself." That was the way wars got popular in this country—honour and distinction for everyone. But he did not care for that popularity. He knew one thing—that the Egyptian policy of the Government would prove their Frankenstein. They were proud enough of it at the moment. There was approbation expressed by those who ought to have known better. But the time would come when some Liberal orator, beginning to talk in the old way about Peace, Retrenchment, and Reform, would find some unpleasant man who would mutter "Alexandria," and the Liberal orator would have to retire within his shell and feel that he was at best but a miserable impostor. But to recur to the Vote for Lord Alcester. That noble Lord would find that he made a mistake when he commenced that bombardment when it might have been avoided. No doubt he did it for the best; but people who acted for the best often made mistakes. But we did not reward them for it. The President of the Local Government Board—the Permeator, as he was called—the Permeator, was in the Office during the negotiations concerning that Egyptian War. They all knew what a painstaking man he was; how he was questioned in that House, and how he answered Questions, and how he did not answer them; how he dealt with Protocols, and Dual Notes, and Despatches. He worked away for two months. Then came the war which he was to have prevented; but his right hon. Friend the President of the Local Government Board totally and entirely failed in the object which he had in view. Was he rewarded? Certainly not. [An hon. MEMBER: Yes; he was put in the Cabinet.] Oh, no; they kicked him out of the Foreign Office and sent him to the Local Government Board, where he could do no harm. In rewarding these two men, Lord Wolseley and Lord Alcester, the House was losing all sense of proportion. He did not desire to run down Lord Alcester unjustly. He agreed that if the gallant Admiral had been sent to meet foes worthy of his steel, he would have distinguished himself; but he had the heavier guns, and they all knew that Providence was on the side of the heavier guns. Lord Alcester himself said that the bombardment was really a comparatively easy matter, and did not go about making it out to be a great thing. But the bombardment of Alexandria was impossible without destruction of life and of an incalculable amount of property. The gallant Admiral went about it, because he had got a report from Lieutenant Smith-Dorrien, who told him that two powerful guns were being set up on one of the forts. Now, to say that the British Navy was in danger, because a few wretched Alexandrians had set up some guns on a neighbouring fort, was not doing justice to the British Navy, or those who manned it. The British Consuls themselves said they thought that Lord Alcester was seeking a pretext for bombardment. And now the House was going to confer upon Lord Alcester, not only a Peerage, but £2,000 a-year for two lives, which, he (Sir Wilfrid Lawson) believed, was worth about £60,000. But he would say again, because, though it had been said before, no answer had been given to explain the difference, how was it that to General Roberts they had only given £12,500 down and a Baronetcy, which was a very poor sort of thing? If the House were to agree to this proposal, it would be going a good way towards giving a premium to those who picked quarrels with weaker nations. Anybody might be made a Peer now-a-days, and it did not require a man to go into battle to be made a Peer. He had only to win two or three elections, to be a personal Friend of the Minister, or to brew enough beer; then he was raised from the beerage up to the Peerage. Men were made Peers because the Government did not know what else to do with them. Nobody objected to their being made Peers; for the fact was that men did not do so much harm when they were in the House of Lords as they would if they went about the world killing people. But he could see no reason why their sons should be also made Peers, if they had sons. It was because he thought that these rewards were entirely out of proportion to the services that had been rendered that he objected to this Vote. What was the House coming to? In other days they were not so complaisant. He found that in 1872, when the Duke of Marlborough won one of his great battles—[*Laughter*]—well, in 1702—one of the great victories, whenever it was—Queen Anne, not content with making him a Duke and granting him a pension of £4,000 a-year for life from the Post Office, subsequently sent a Message to that House asking them to settle the same pension on all the heirs of the Duke for ever. It was said that that Message had been received by the House, Tories as they were, with silence and astonishment, and that, after an exciting discussion, the Queen's request was refused. It was true, however, that after he had won the Battle of Blenheim, which was, perhaps, if he (Sir Wilfrid Lawson) was right, a greater battle than that of Tel-el-Kebir, the Queen's proposal was agreed to. He was afraid that the House was being misled by the desire for a display of cheap military glory, because it was the great boast of this Government that it was so cheap. The Members of the Government never went down to make one of their great political speeches without claiming credit for the fact that they killed more people in less time and for less money than the Tories. In his opinion, this love of display of military force was increasing. That love of display of military force and glory had increased very much lately, until it seemed almost like a dream to think of what occurred three years ago, when they were marching with pride and pleasure under the banner of the Prime Minister in Mid Lothian, and when they all came into that House pledged to Peace, Retrenchment, and Reform. Yet the first thing they did, within two years of that time, was that they had rushed upon their foreign foe dressed up in the Tory uniform, the Prime Minister leading them, and they had marched into Egypt singing—

> "We don't want to fight;
> But, by Jingo, if we do."

In his opinion, it was time that this warlike craving should stop, and he hoped it would. He regretted greatly the abject state into which the House had fallen under the guidance and counsels of recreant Radicals, sanguinary Christians, and fighting Quakers. He trusted that to-night there would be a beginning of something better. He knew that many of his Friends around him would vote for that money to-night; but he knew, equally well, that they would do so with heavy hearts. He hoped there were still a few who would be true to the principles on which they had been returned by their constituents; and, though there might not be a very large band, there would be a certain number who would go into the Lobby to resist a grant which he considered both demoralizing and humiliating.

Question put.

The House *divided:*—Ayes 209; Noes 77: Majority 132.—(Div. List, No. 65.)

Main Question, "That the Bill be now read a second time," again proposed.

Sir GEORGE CAMPBELL said, that, according to what he had previously stated, he should take a division upon the question.

Mr. BIGGAR said, he wished to ask the Prime Minister whether, after the expression of opinion that had just been elicited, he intended to persevere with the Bill? It must always be a matter for grave consideration by a Government, when its majority was obtained by the support of its opponents. He (Mr. Biggar) had seen that some of the most subservient Whigs in the House, prominent supporters of the Government, had voted against them and the Bill; and he thought that the occasion had now come when the Government, unless they wished finally to divide and scatter the Party, should calculate well whether they ought to proceed further in this direction.

Mr. RICHARD: I think the time is come, Sir, when we should consider whether the custom of lavishing eulogies and distinctions and rewards upon our fighting men is not a custom which would be more honoured in the breach than in the observance. I do not object to the proposal before the House because I disapprove of the policy of the Egyptian War, though I do disapprove of it most strongly. But the Gentlemen whose names are before us are not responsible for that policy. The code of military morality, so far as I understand it, not only does not require, but does not permit, a soldier to use his own judgment and conscience as to the justice or injustice of the war in which he is engaged. Absolute unreasoning obedience is his one duty. In the words of a very illustrious warrior, Sir Charles Napier, in his work on *Military Law*—"To the soldier obedience is the law and the prophets. His religion, law, and morals are in the orderly book." That does not appear to me a very elevated kind of morality; but it is that which is recognized as the rule of military life. Neither do I object to these Bills with any intention of casting disparagement on the distinguished Gentlemen whose names are embodied in them. I have no doubt that they are personally Gentlemen of most exemplary and irreproachable character, of great professional distinction; and I dare say they did promptly and efficiently the miserable work given them to do. But my objection rests on the general principle that it is unwise, inexpedient, un-Christian, by such acts, to encourage and stimulate the military spirit, which, in my opinion, is an evil spirit. I should like very much to know why this particular class of our fellow-subjects should be singled for special recognition and honour for doing their duty? Is it because of the supreme excellence of the work they perform? Why, the work of the warrior is one of pure destruction. His work is to scatter havoc and ruin over the earth, to carry into the hearts and homes of men mourning, desolation, and woe. And is that a kind of work that needs to be specially encouraged by a Christian State? But I may be told that they are honoured because they serve their country. Well, I hope we all try in some humble way to serve our country. Is not the poor agricultural labourer, who toils in the cultivation of the soil, and who causes two blades of grass to grow where only one grew before, serving his country? Is the plea that shall be put forward this—that the work of the soldier is very dangerous work, which is done at the hazard of his life? So is the work of the miner. There are thousands and tens of thousands of our countrymen who, every day and night, descend into the bowels of the earth, carrying their lives in their hands, to extract for us the means of heat, light, and locomotion, without which the whole mechanism of society would stand still; and there are more of these brave soldiers of industry who perish every year, in pursuit of their perilous occupation, than the numbers which fall in most modern battles. But we never hear of these being decorated with medals, or made to pass in procession before the face of Royalty. Shall I be told that soldiers are thus honoured because they contribute to the glory of our country? Well, I dare say my view of what constitutes true national glory may differ from that of many hon. Gentlemen present. But I confess that some exploits have been recorded in our national annals, within the last 30 years, which I suppose are regarded by some as heroic and honourable, that appear to me to be simply shameful and humiliating. The burning of Kagosima, the bombardment of Canton with red-hot shot —and that on a quarrel which almost everybody now acknowledges was an unjust quarrel—the destruction of Magdala and Coomassie, after the unfortunate people whose country you had invaded had been completely vanquished, and when no possible plea of necessity could exist for those acts of Vandalism, and I am obliged to say the bombardment of Alexandria; these seem to me to be proceedings that had no single element of heroism in them, but to be the simple abuse of the power of the strong against the weak. I covet no such glory for my country; and it is because measures like those now before us have a tendency to encourage such acts and enterprizes that I am strenuously opposed to them. There is no need to aggrandize the power of the military class in this or in any country. In my opinion, one of the greatest calamities under which Europe is suffering at this moment arises from the predominance of the military element in the policy of States. Their ideas are everywhere in the ascendant, and you see the result in the present condition of Europe, which has been converted into one huge camp, where some 12,000,000 men are being trained to the use of arms. I do not blame them much. Professional prejudice is very strong. They undergo a peculiar education, which leads them to look upon men in one exclusive aspect. A human being is to them a creature to be drilled for fighting, or a creature to be taxed to pay for the drilling of others; so that the whole population, from their point of view, may be divided into two classes, which may be described as beasts of prey and beasts of burden. They cannot conceive of civilized and Christian nations as living side by side in any other attitude than that of armed and mutual menace; and they are constantly engaged in fomenting mutual jealousy and suspicion, and, on that ground, demanding more and more military armaments. I think it is time that other classes of the community should rebel against this military *régime*. There is one other idea that I venture to submit to the House, which has been weighing heavily on my mind for many months past. I do not speak it at all in a vaunting or ironical spirit, but refer to it as something which I think deserves the attention of thoughtful men. What shall we say to the terrible outbreak of violence among the people in all countries of Europe, with the use of destructive agencies of the most formidable character, which disturbs the security of all nations?

Mr. SPEAKER: I must point out to the hon. Member that the Question before the House, and the only one he is entitled to discuss, is the granting of an annuity to Lord Alcester.

Mr. RICHARD: I am endeavouring, Sir, to show that there is no good reason for increasing the military spirit, which is already doing great harm in Europe. I ask this question—Whether all this may not be regarded as the natural outcome of the physical force education which the Governments have been giving to the nations for so many ages? Who is it that has taught the people to look upon brute force as the highest and noblest factor in the life of nations? The Governments. Who is it that has stimulated, by every species of encouragement, the discovery of more and more deadly agencies, the invention of more and more infernal machines to be used against each other in war? The Governments. Who is it that has glorified to the utmost the results of these agencies and inventions, in works of devastation and ruin, in the bombardment of towns, and the indiscriminate destruction of men, women, and children, and all the other terrible effects of war? The Governments. Who is it that holds up those who are agents in this work as more worthy of admiration than any class of the community, as men upon whom all marks of distinction, Peerages, and pensions, and honours, and decorations should be lavished with unmeasured profusion? The Governments. I need not say that I utterly abhor this recourse to violence on the part of the people. I am one of those who believe that force is no remedy for the ills of nations. But I believe it is no remedy in the hands of peoples any more than in the hands of Governments. But is it any wonder that they should have recourse, for the righting of what they think their own wrongs, to the means and agencies which you have so long taught them to regard as of such supreme excellence and glory? Both people and Governments ought to find some better mode of settling their differences. One of my objections to proposals of this kind is that it tends to elevate and to glorify that military spirit which has caused so much misery throughout all countries.

Main Question put.

The House *divided*:—Ayes 217; Noes 85: Majority 132.—(Div. List, No. 66.)

Bill read a second time, and *committed* for *To-morrow*.

## LORD WOLSELEY'S ANNUITY BILL.

(*Sir Arthur Otway, Mr. Chancellor of the Exchequer, Mr. Gladstone.*)

[BILL 146.] SECOND READING.

Order for Second Reading read.

Mr. GLADSTONE: In moving the second reading of this Bill it will not be necessary for me to detain the House for more than a very few minutes, because I have already stated fully, in dealing with the Bill connected with Lord Alcester, that portion of the case which relates to precedents. My statement was, indeed, impugned; but I wish to say that my hon. Friend gave no ground whatever for impugning it. The case which he quoted of Lord Clyde forms no precedent whatever for our present proceedings, because that was an Indian grant, and was covered by Indian practice. Then, again, with regard to Lord Lyons, this is the first time that I have heard his case cited as a precedent, and I know of no ground upon which it ought to be so cited. I am not aware that any Peerage was ever given to Lord Lyons for special services. Lord Lyons received a Peerage, and a well-earned Peerage, for distinguished services in the Navy and in the Civil Service of this country; but I am not aware of anything in the case of Lord Lyons which has the smallest bearing upon the case now before us. The case, therefore, stands as one of following a uniform precedent in respect of pensions involving an hereditary element, although I stated distinctly to the House that the practice has been changed, inasmuch as these pensions, which were originally given as perpetual pensions, have been recently contracted to two lives. The case of Lord Wolseley, in every substantial particular, is analogous to that which we have just decided in the case of Lord Alcester. I can, indeed, draw no distinction between the merits of these two distinguished Officers. The only thing is that the services of Lord Wolseley, from their nature, are still more fresh in the mind of the House and of the country at large than those of Lord Alcester. I know there may be those who say that really the action at Tel-el-Kebir was one at which hon. Gentlemen even in this House are ready to sneer. The particulars of that action appear to be considered of very small significance, because there was only a limited loss of life on our part. But to whom was it due, under Providence, that this limited loss of life on our side occurred? It was due to the consummate judgment and the strong humanity of Lord Wolseley, which made him lay down those admirable plans he had thought out to the most minute particular. They were laid out in such a way that the attack was made by night instead of by day, and the result was that the killed and wounded were counted by units; when, had the attack been made by day, they would probably have been counted by hundreds and thousands, in which case, perhaps, there would have been some disposition in some quarters to admit the signal services of Lord Wolseley. It was that humanity of Lord Wolseley, combined with his conspicuous skill and daring, which, in my opinion, rendered it a matter of the greatest satisfaction to the House already to acknowledge his services by a Vote of Thanks, in which we expressed our estimate of those services in terms not wanting in warmth, or in form or force. Certainly, it might have been, in some respects, very satisfactory if the objections which have been taken to-night had been raised when the Vote of Thanks was brought forward. I do not know on what grounds, consistent with the dignity of this Assembly, we can in a Vote of Thanks, which costs nothing but the paper on which it is printed, describe in glowing terms the services rendered to the country by such men as Lord Alcester and Lord Wolseley, and then reserve the occasion of serious opposition until the time when the Government does no more than proceed to what at all times has been considered the natural consequence of such a Vote of Thanks to such Commanders—namely, when they ask the House of Commons to confer on those who have had the chief responsibility a solid and substantial mark of the public gratitude. At this late hour of the night I will no longer detain the House; but I do put it to the House—and I should have done so before, when I formally addressed it, had I supposed that so many hours would have been devoted to a controversial discussion of the subject—I do put it to the House that the act it is now invited to do is no more than the just consequence, I might almost say the necessary complement, of the Vote that was taken—without division, and with something, I think, approaching perfect unanimity—which expressed, in a specific form of words, our gratitude to those distinguished Commanders which we are now asked to express in another form in the shape of the grant of an annuity. I beg to move that the Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Gladstone.*)

Mr. BROADHURST: After the lengthened debate which has taken place on a Motion similar to the present in reference to Lord Alcester, it is not my intention to detain the House for any length of time in moving the Amendment which has been placed on the Paper in my name. That Amendment is that—

> "In the opinion of this House, the services of Lord Wolseley during our Military operations in Egypt were not of such a character as to satisfy this House as to the desirability of assenting to the proposal submitted to it in this Bill."

I think that after the speech which has just been made by the Prime Minister, when formal Votes of Thanks are moved in this House in future, we shall have to take a much firmer, and a much more determined, stand in opposition to them, if this is to be regarded as our rule of procedure upon such questions. We did not make a very strenuous opposition to the Vote of Thanks to Lord Alcester and Lord Wolseley, because we supposed that it was a formal matter, in regard to which it would have been discourteous to have offered any considerable amount of opposition. But if it necessarily follows that, having agreed to a Vote of Thanks for the services rendered by our Naval and Military Commanders, that Vote of Thanks is to be followed by Peerages and hereditary pensions, and that then we are not to be in a position to object to such honours and emoluments, our action in the future must be very different, indeed, from what it has been on this occasion. It is not my desire to enter at all into the question of the policy of the War, because that subject has been discussed already by the different speakers who have addressed the House to-night. I may say that I voted with the Government on the occasion when they asked for the support of this House, and for a Vote of Credit in connection with the Expedition to Egypt. To-night we have an entirely different issue before us; and I think we might fairly, without condemning the policy of the War, or even questioning that policy, make a stand in opposition to the renewal of arrangements which the country almost unanimously condemns. What we protest against to-night is the lavish recognition of past services performed. I am not inclined, in the least, to question the value of these services, or to undervalue the thanks which are due to Lord Wolseley for the very expeditious manner in which he discharged the duties imposed upon him by the Government and by Parliament; but what I do think is, that they were not of a sufficiently onerous character to warrant the House in voting the large sum of money which we are called upon to grant to-night. In the first place, as we have been just reminded, Parliament almost unanimously passed Votes of Thanks to those two Officers for the way in which they did their duty. Now, that, in my opinion, is no mean reward to be accorded to soldiers and sailors for the nature of the work in which they have been engaged. But then there was a proposal to confer Peerages upon the Commanders. Now, had the proposal to grant Peerages been unaccompanied by financial provisions, I am sure that there would have been no great dispute in this House with regard to it. We know that Peerages are held to be the very highest prizes in this country; and many men would contend with most enormous difficulties if they could be assured that upon achieving success they would be endowed with a Peerage. But in addition to all the honours conferred upon these two Officers their pay is by no means of a meagre character. I am informed that the pay of the Commander-in-Chief, while in Egypt, amounted to something like £4,500 per year, in addition to the War allowances, which were of the most liberal and lavish description, during the time he was employed in field operations. Again, in his present position, if I am correctly informed, as Adjutant General of the Forces, Lord Wolseley has a salary of £2,700 a-year; and even his half-pay as a General, if he should ever come to that position, would amount to £800 a-year. All this, with the proposed annuity of £2,000 a-year, if added to what he would have when he again became Commander-in-Chief, would amount to some £6,000 or £7,000; and in any case it would be from £4,000 to £5,000 a-year, which, I contend, is a very handsome allowance, and ought to be quite sufficient, without additional pensions to himself and one heir. The whole question turns upon the granting of pensions; and I would advise Her Majesty's Government, who are at present in Office, and I would advise hon. and right hon. Gentlemen sitting on the opposite Benches, who are anxiously awaiting their return to Office, to remark the character of the two divisions which have already taken place to-night. We have had marching into the Lobby, in opposition to the principle contained in these Bills, the Representatives of our greatest and most crowded constituencies; and there can be no question or doubt whatever that, in so doing, they were no more than fulfilling the desires of those who were returning them to Parliament. This question of pensions is daily becoming more obnoxious. There is not only a dislike amongst what is called the Democracy, or the Advanced Radicalism of the labouring classes, but that dislike is participated in by the middle classes—the struggling shopkeeper, the small manufacturer, and those who have to pay heavy local rates and bear the burden of heavy Imperial taxation. These men, who are struggling for a living, are beginning to inquire why they should have saddled upon them and their children's children, in opposition to their own wishes and their own desires, these serious burdens. There is one particular feature about this revival of pensions which strikes the labouring classes most strongly; and that is that pensions, as a rule, are given to those who destroy, and are never bestowed upon the benefactors of the country, who create its wealth. You reward your soldiers and your sailors; but you have men, even within this House itself, who are far more deserving, in a material sense, of the thanks, the honours, and the rewards of the nation, than any of the great Commanders who have been sent into foreign lands. They, as a rule, escaped without recognition, and without a Vote of Thanks. ["Name!"] An hon. Member calls out "Shame!" [*Cries of* "No; name!"] Sir, if I had to think of a name at a moment's notice, I would mention that of the hon. Member for the West Riding of Yorkshire (Mr. Isaac Holden), who, by the fertility of his brains and his inventive genius, has added more to the wealth of the country than all your soldiers and your sailors put together. I promised not to detain the House for any length, and I have only now to move the Amendment which has been placed in my name upon the Paper. In doing so, I feel that I am discharging one of the most important duties that I owe to the taxpayers of this country.

Mr. BURT seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the services of Lord Wolseley during our Military operations in Egypt were not of such a character as to satisfy this House as to the desirability of assenting to the proposal submitted to it in this Bill,"—(*Mr. Broadhurst*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. LEWIS: I should not have ventured to rise on the present occasion if it had not been for the extraordinary argument that has just been used by the Prime Minister. What I understood him to say to the House was that a Vote of Thanks passed by this House was not practically worth more than the paper it was written upon, unless it was followed by the grant of a pension, or, to put it, perhaps, more strictly, that it would not cost more than the paper it was written upon.

Mr. GLADSTONE: I spoke of persons in supreme command.

Mr. LEWIS: I understood that to be the case, and I think it raises a point which I wish the country to understand thoroughly. The view of the right hon. Gentleman comes to this—that as regards two out of some 20 persons named in the Vote of Thanks they are deserving of pensions; whereas the residue of the 20—all those who composed the rank and file—are not worthy of estimation, because the Vote of Thanks to them is not to be followed by a pension. Therefore, General Adye, General Willis, Sir Evelyn Wood, and other distinguished officers who served in the Campaign, and the rank and file of the Army, must go away with cold comfort, and rest satisfied with a Vote of Thanks, which the right hon. Gentleman the Prime Minister tells us is worth nothing at all. I am sorry to detain the House, but I do not intend to do so at any length. Nevertheless, I think there are one or two points which have not been brought before us as clearly and as distinctly as they ought to have been. Now, what is the real cause of our opposition to-night? We have been compelled, on this occasion, to pursue the extraordinary course of discussing the policy and the conduct of the Egyptian War indirectly and incidentally. The necessity for this arose from the fact that we have been at war and we have not been at war. If we had been at war in the ordinary sense of the term there would have been a Treaty of Peace; but no Treaty has yet been placed before the House of Commons for its acceptance. Such a Treaty would properly and naturally have formed the subject of a Constitutional debate. But in consequence of the extraordinary position in which the Government have placed the country and this Assembly, we have been returning thanks, not to those who have been conducting the war on behalf of the country, but to those who have been conducting what are called "military and naval operations." I think it is a most painful thing to know that in these cases the rank and file—those who have to bear the real hardships of the Campaign—are left out in the lurch. One of the questions placed on the Paper to-night had reference to some trumpery decoration of the soldiers who were engaged in the Transvaal War. It is a remarkable fact that the soldiers who were engaged in that war have not yet got their decorations, and cannot get them; and yet the House is asked to endorse the present proposal of the Government with the utmost celerity. I think the House has not been dealt fairly with. The Peerage in this case precedes the pension; and we are told by the Prime Minister that if we grant an hereditary Peerage we must necessarily accompany it with an hereditary pension. Now, the House is not concerned in the policy which dictates the grant of pensions, unless such a grant is followed by a call upon the taxpayers. We are told by the Prime Minister that the Government, having advised Her Majesty to ennoble these two officers, must, of necessity, ask Parliament to confer upon them pensions, which are to last for two generations. It has been said by the right hon. Gentleman that this is a question which must be covered by precedent. Well, I want to know are all the distinctions conferred on Military and Naval Commanders to be stereotyped? Is there to be no difference between a man who wins a small battle and a great one? Is it to be purely a kind of crystallized system? The men who suppressed the Indian Mutiny—the men who won the Crimean War—were comparatively unrewarded, if we take into consideration the distinctions conferred upon those who were engaged in defeating these wretched Egyptians last August. I have been looking at the records of the Crimean War. Was there any man ennobled in connection with it for any of the great services that were performed? I think I am correct in saying that there was not one. Lord Raglan died before the war was brought to a completion, and there were several Generals in command after Lord Raglan died; but I am not aware of any distinction or of any pension that was bestowed upon any Commander at the close of the Crimean War. Then, again, what was the case in the Indian Mutiny, in which the whole power of England was called into play for the purpose of saving our great Indian Empire? We know that Lord Clyde was ennobled; but was Parliament asked to grant a pension equivalent to that which is now asked for Lord Alcester and Lord Wolseley? Not a bit of it. It was simply a pension for life; and the right hon. Gentleman, in admitting that fact, simply remarked that it was a burden which fell upon the Indian Exchequer. All I have to say is, so much the worse. We should bear in mind what was the character of the operations, and what resources, skill, energy, courage, and power of the individual were called into play in vindication of the authority and position of the Army of England. I have frequently heard that this was a wonderful campaign indeed, especially the battle of Tel-el-Kebir, because Lord Wolseley had prophesied the day on which that fortification would be captured. Now, that proves to me the direct contrary, because it shows that it was not a military, but a geographical victory, which enabled Lord Wolseley, five or six weeks beforehand, to put his pen to paper and describe the march of his troops with tolerable accuracy. There is nothing in it indicative of the uncertainties of war; but it is simply the marching of so many soldiers so many miles. Let the House look at one or two other examples. What was done in the case of Sir William Fenwick Williams, who made that wonderful defence of Kars, and who, besides being created a Baronet, had a pension of £1,000 for his own life? Then, again, there was the case of Sir Henry Havelock, whose widow had a pension of £1,000 a-year granted to her for her own life, with the remainder to her son. Therefore, so far as precedent is concerned, there is a remarkable want of it to justify the conduct of the Government in this matter. In these two great military events of a war which lasted for years, and which are within the memory of those who are not past middle life—namely, the Crimean War and the Indian Mutiny—the precedent goes entirely the other way. Both of these distinguished campaigns were passed over without any considerable honours and pensions being bestowed in regard to them; and, indeed, the wars I have mentioned were brought to an end without any exceptional honours and pensions being bestowed upon any of the Commanders who were successful in bringing them to a close. On a former occasion I made reference to Sir Frederick Roberts; and the case of Sir Frederick Roberts has already been referred to this evening. It seems to me that the observations which have been made by the hon. Member for Northampton (Mr. Labouchere), and, in another sense, by the hon. Member for Eye (Mr. Ashmead-Bartlett), are perfectly correct and legitimate. If ever there was a man who displayed the greatest courage, the greatest skill, and the greatest discretion in the disposal and use of the materials he had at his command, it was in the case of Sir Frederick Roberts, whose famous march from Cabul to Candahar was one which has made a mark in history that will never be forgotten so long as the military history of England is remembered. But Sir Frederick Roberts had the misfortune not to represent the political opinions or the policy of Her Majesty's Government. In his history, in his original proceedings, and in his course as a soldier, especially in reference to this very event—the march to Candahar—he was carrying out incidentally a policy which was not gratifying to Her Majesty's Government; and, accordingly, it was found, when it came to be a question of distributing prizes to those who were engaged in this celebrated march, that there was no precedent established of a pension of £2,000 a-year for two lives. But there was a pension of £1,000 compulsorily commuted in the case of a young man for a fixed sum of £12,500. Those hon. Members who are acquainted with contemporary history know that that reward followed after an electioneering announcement of the Prime Minister himself, in which he denounced, in a most hostile spirit, what he called the outrages committed by Sir Frederick Roberts.

Mr. GLADSTONE: The hon. Gentleman is quite mistaken.

Mr. LEWIS: I believe I am not misquoting the right hon. Gentleman when I say that, in the middle of the Liverpool Election, on the 2nd of February, 1880, referring to the War in Afghanistan, he used these words—

> "We have shivered the country into fragments; we have hanged men ignominiously as rebels—how many has not yet been told—for no other crime than that of defending their country; we have burned villages, and driven women and children to starve in the cold of winter."

That was a statement made by the Prime Minister on the 2nd of February, 1880, before Sir Frederick Roberts had an opportunity of giving a contradiction to the charges which had been made against him. The contradiction came two days later, when Sir Frederick Roberts reported—

> "No one executed unless convicted of attack upon Residency; no soldier shot for fighting against us."

Mr. GLADSTONE: Will the hon. Member state what he is quoting from? I am not aware of any authorized report.

Mr. LEWIS: It is not usual to require an authorized report of a letter. What I have been quoting is an extract from a letter of the right hon. Gentleman to a certain Mr. William Rathbone, not unknown in Liverpool, who at that time was conducting the candidature of a noble Lord who is perfectly well known to the right hon. Gentleman.

Mr. GLADSTONE: Will the hon. Member kindly give me the means of making a reference to that letter, so that I may be able to see what it is?

Mr. LEWIS: It was written on the 2nd of February, 1880.

Mr. GLADSTONE: Where is it to be found?

Mr. LEWIS: I am quoting an extract from a letter written by the right hon. Gentleman himself.

Mr. GLADSTONE: I want to know what I am to refer to in order to find it.

Mr. LEWIS: If the right hon. Gentleman will refer to the public papers published about that time he will discover the letter in full. But the matter did not end there. Members of the present Government were doubly implicated in the attack upon Sir Frederick Roberts; and I find that a newly-fledged Member of the Cabinet, the President of the Local Government Board, on the 13th of January, also wrote a letter, in which he said he

> "Was amazed at the reported action of our authorities at Cabul in hanging private soldiers for fighting against us"

at the Battle of Charasiab, adding that—

> "If no one else does, I will call the attention of Parliament to the matter."

Following up that threat, on the 2nd of February, the same day as the letter of the right hon. Gentleman the Prime Minister was written to Mr. Rathbone, the President of the Local Government Board made a speech, in which he said—

> "Our proceedings at Cabul demand inquiry, and strong expression of opinion on the part of the House in reference to the outrages which took place at the Battle of Charasiab."

It was in connection with the Liverpool Election, in order to make capital out of them, that these charges were flung by right hon. Gentlemen now connected with the Government at the heads of their political opponents; and before Sir Frederick Roberts had an opportunity of denying them, which he did two days later, these unfortunate charges were made against him. I confess I do not wonder that when it came to be a question of conferring dignity and honours upon a man who is said on the highest authority—namely, that of two prospective Cabinet Ministers—to have hanged soldiers for no other crime than that of defending their country—I do not wonder, when it came to be a question of conferring dignities upon that man, that he fared somewhat unfortunately; but I do wonder that in the case of a proved, determined, and skilful soldier like Sir Frederick Roberts, who did a deed of glory as amazing as it was satisfactory to England's credit and the feeling of the country—I do wonder that when the country had an opportunity of remedying the reproach they had been casting against his character, Her Majesty's Government did not seize the opportunity of heaping upon Sir Frederick Roberts honour, dignity, and pension. ["Oh!"] I am not surprised that certain hon. Gentlemen sitting behind the Front Benches on the other side of the House should be so anxious to prevent these things from coming out; but they are very much mistaken if they suppose that the country will not hear of them. This Egyptian Expedition has been called a war. It was no war at all. It was conducted in such a way that there has been no opportunity of discussing it when it was brought to a conclusion; and hon. Members who felt strongly on the question, and who had been deprived of a legitimate opportunity of discussing it, had a right to take this incidental opportunity of discussing it. I come now to my last point, and I venture to repeat what I said a few days ago—namely, that the necessity of conferring these Peerages upon the two Commanders was simply because the House has been led into the dilemma of having, as the right hon. Gentleman said, and as other speakers in the previous debate said, either to grant pensions to them or to cast a slur upon them. We must recollect that the proceedings in connection with the War in Egypt were taken by Her Majesty's Government at a very peculiar crisis in their history. The uniform of the British soldier had been dragged in the dirt in the Transvaal; we had to expiate the defeat of Majuba Hill somewhere; and I believe it was thought most desirable that the exhausted strength, authority, and power of Her Majesty's Government should be recuperated, refreshed, and invigorated upon Egyptian soil. When the troops came back from Egypt, why was it that we had a Sunday parade? It was in order that the whole population might glorify Her Majesty's Government and the troops concerned in the war. Why did we have that extraordinary exhibition of the Indian troops brought here in defiance of all the principles which have been professed by the right hon. Gentleman opposite when the Conservative Party were in power? How was it that they were paraded in all their grandeur and glory through the streets and public places of the Metropolis? It was simply to add to the prestige of Her Majesty's Government. How was it that the crowning of the edifice of the Egyptian Campaign was to be found in creating two new Peerages? It was to magnify the Government, and to make out that the loss of dignity England sustained in the Transvaal had been repaired by the operations in Egypt. I believe that the people of England fully understand this, and that by the light which this debate has thrown upon certain matters, many hon. Members sitting below the Gangway are beginning to see that after all there may be some little inconsistency in the anti-Jingoism of the right hon. Gentleman the Prime Minister when in Opposition, and his profound and profligate Jingoism since he has been in power. I ask the House to take an impartial view of the matter; and if we are, in a case like this, to exhaust, as we are exhausting, the power of granting the honours and dignities of the country, what is to be done hereafter? The right hon. Gentleman told us that this was the limit of pensions that would, in future, be granted. Therefore, we can go no higher; and if we can get no higher, ho are we to be able to confer proper Generals and distinctions upon those about hereaf Admirals who may bring military victory wo me great naval or name of the country? If of the great in the taking of Tel-el-Kebir, he thinks, sending the ships into the Suez Canal, in we had a display of the highest naval and military art, combined with eminent civil services in connection with these operations, then I admit that these pensions are well earned; but they might be doubled, and still supported by the same arguments. For my own part, I am unable to understand what honours or amount of pensions would have to be conferred in the event of another Crimean War or Indian Mutiny taking place. For these reasons, I cordially oppose the second reading of the Bill.

The Marquess of HARTINGTON: Sir, the hon. Member who has just sat down has complained of the inconvenient position in which the House has been placed by the course taken by Her Majesty's Government; and he says that although he has been studying precedents, he can find no precedent for that course. Now, I think there is a precedent which he might have recollected, and which might have given some satisfaction to the hon. Member, as showing that, at all events, we have only been following in the footsteps of the Government of which he is a supporter. The hon. Gentleman complains also of the inconvenience to which the House has been put owing to this war not having been a war of a regular character, and not having been terminated by Treaty. He says that there has been no Treaty laid upon the Table at the end of the war, and, therefore, that the House has not been able to discuss the policy of Her Majesty's Government except indirectly, as on the present occasion. Now, I think that there was a precisely similar case to the present which occurred during the administration of the Conservative Government—namely, the case of the Abyssinian War. I am not aware of any Treaty when the Abyssinian War was concluded; at least, I am not aware of any Treaty having been laid upon the Table of the House at the close of that war. But, notwithstanding the absence of a Treaty, by which that war was concluded, a Conservative Government, following the precedent we are following, proposed a Vote of Thanks in this House, and followed it up by the proposal of a pension for two lives to the gallant Officer who conducted that Expedition. The hon. Member complains that we are treating the House unfairly, because, in the present instance, the Peerages which have been conferred preceded the Vote of Thanks and the proposal for pensions. Now, that is precisely the course which the Conservatives took after the Abyssinian War.

Mr. LEWIS: I said that the circumstances of the case compelled the Government to treat the House unfairly.

The Marquess of HARTINGTON: The hon. Member, as I understood, complained that the Peerages were granted before the House was called upon to discuss the matter, and that now the House is asked to grant pensions for the support of those Peerages. That was precisely the course taken by Mr. Disraeli in the case of the pension to Lord Napier of Magdala. Mr. Disraeli came down to the House and announced that Her Majesty had been pleased to confer a Peerage upon Lord Napier of Magdala, and he proposed precisely the same grant as that now proposed by us. Nothing can be more unpleasant, and nothing more painful to the feelings of the gallant Officers concerned, than that the House should be invited, as it has been by the hon. Member for Londonderry (Mr. Lewis), and I am sorry to say by other hon. Members who have spoken this evening, to go into a minute and critical discussion upon the respective merits of the services in respect of which these honours are conferred. But, Sir, if we are compelled to compare the amount of the danger and difficulty incurred, and the amount of skill employed, I venture to say that the late operations in Egypt do compare, in every possible respect in which they can be compared, favourably with those for which the House thought it right, without a word of objection from us, to confer similar honours and rewards upon Lord Napier of Magdala. The hon. Member for Londonderry seems to think he has a good case against the Government in respect of the treatment accorded to Sir Frederick Roberts for his services in India and Afghanistan. I have already said, and I consider that it is unfortunate to have to compare, in that way, the merits of gallant officers who have always done their best in the discharge of their duty to their country. But that comparison has been forced upon us; and it is necessary, as the case of Sir Frederick Roberts has been referred to, although nothing can be more distasteful to myself, for me to say one word, not in depreciation of his services, but as to the circumstances of his employment, and as to the precedents under which honours and rewards were conferred upon him. Sir Frederick Roberts, it must be remembered, at the time when his famous exploit was performed in Afghanistan, was not in supreme command of the forces in that country. Reference has been made to the services rendered by Sir Frederick Roberts in the first advance to Cabul. Well, Sir, with that, although it was one of the operations of the campaign, the present Government had nothing whatever to do. That campaign, which ended with the Treaty of Gandamak, was supposed to have concluded the war in Afghanistan, and the honours and rewards in respect to it were decided on and given by the late Government, and that matter with regard to the Afghan War was completely disposed of before the present Government came into Office. We had to do with the military operations which followed the murder of Major Cavagnari, with the second advance to Cabul, the advance of General Stewart, and the march of General Roberts from Cabul to Candahar. I do not deny that General Roberts and his Army held their position with great skill and success; but, at the same time, I maintain that that was not an operation of a character for which, according to precedent, it has been usual to grant honours and rewards of an exceptional character. What we had to do with was the great achievement of Sir Frederick Roberts, in marching to the relief of Candahar from Cabul. I have said that, at that time, he was not in chief command of the Army in Afghanistan. That position was occupied by Sir Donald Stewart; from the moment when he had marched from Candahar to Cabul, he, being the senior officer, assumed the chief command. That march of General Stewart's is one which, for some reason or other, is very seldom mentioned in this House, and to which hon. Members opposite apparently attach comparatively little importance. I say, however, that the march of Sir Donald Stewart from Candahar to Cabul was one of quite as great difficulty as that of Sir Frederick Roberts. ["No!"] The hon. Member for Eye (Mr. Ashmead-Bartlett) says "No!" but I say it was one of far greater difficulty, for the fact is that, during the march, General Stewart had to fight almost every inch of the way; he was attacked almost daily; and, on one occasion, he fought one of the principal battles of the war, for which a clasp was given. I am not depreciating the merits of Sir Frederick Roberts; but, as a matter of fact, he had not to fight at all between Cabul and Candahar; and it was only on his arrival at Candahar that he fought the successful battle which effected the relief of that place. Nor is the merit of that great military undertaking solely and entirely due to Sir Frederick Roberts. General Stewart took a great part of the responsibility, and he therefore deserved a great part of the credit attaching to it. General Stewart was in a position at Cabul by no means secure; and I remember that every day in this House, the critical position of General Stewart was referred to, and urged upon the Government, yet he, at that time, with his Army and his own reputation at stake, did not hesitate, for the rapid relief of Candahar, to divest himself of, and to place at the disposal of Sir Frederick Roberts, 10,000 of the very flower of his Army, in order that the movement might be rapidly effected. I think, therefore, both in respect of position, and in respect of relative responsibility and credit in that action, that no one acquainted with the facts can deny that it would have been absolutely impossible, from a military point of view, to have conferred any honour upon Sir Frederick Roberts for that brilliant operation, without at the same time conferring a similar honour upon General Stewart. When the Government had to consider what honours should be conferred upon those gallant officers for their undoubtedly great services in the campaign, they naturally had to turn to the precedents with which Indian history supplied us. We found, not to go back to very ancient prededents, that General Sir William Nott received an annuity of £1,000 for life; that Sir George Pollock, who was in chief command of the Army which performed a very similar service, and which had avenged the great disaster at Cabul in the first Afghan War, also received an annuity of £1,000; Sir Archibald Wilson, the same; Sir James Outram, whose achievements are known to all, the same; and we did not think that, in the great merits of those two officers, there was anything so exceptional as to make it desirable to create a new precedent, and to give a larger sum from the Revenue of India than had been considered adequate in the case of the distinguished officers whom I have just referred to. No doubt, there have been cases in which higher honours and larger rewards have been conferred upon Indian officers; but they have been conferred for operations of a totally different character. Lord Hardinge and Lord Gough, for the military operations which ended in the conquest and annexation of the Punjab, received Peerages and larger grants for life, which were supplemented by grants to their successors; but these were for operations upon a far larger scale and of a very different character to those we are at present dealing with. Lord Clyde—Sir Colin Campbell—who might be said to have saved India, was supposed to have been recompensed by the grant from the Revenue of India of £2,000 a-year. How, then, can it be said that, in advising Her Majesty to bestow upon Sir Frederick Roberts the Grand Cross of the Bath, a Baronetcy, and an annuity of £1,000, and also in promoting him to the office of Commander-in-Chief at Madras, the Government were, in the slightest degree, actuated by any political animosity or desire to disparage the great services of one who, though differing from them in political views, had rendered the country such signal services? Sir, I am quite certain that nothing could be more personally distasteful to these officers than that their merits and achievements should be brought forward in this House, not for the purpose of well-merited praise, but for the purpose of political reproach. In these matters we must be guided to a certain extent by precedent. In the disposition of military honours and rewards, we must have regard to what has been the ordinary practice of the country. I am quite willing to admit that the rewards given out of the Imperial Revenues, as in the cases of Lord Napier of Magdala, Lord Wolseley, and Lord Alcester, are on a larger scale than those usually conferred on officers in the Indian Army; but I am not prepared to say that there is not good reason for that distinction. In the Indian Military Service, officers are paid at a much higher rate, the opportunities for distinction are far more frequent, and the great military posts obtainable in India are more numerous than those which are open to officers in the English Service. There is, therefore, some reason why a different scale should be adopted in the two cases; and I am not aware that any reason existed why Her Majesty's Government, in the case of Sir Donald Stewart or in that of Sir Frederick Roberts, should have departed from the practice which has generally been maintained. Sir, I am disposed to differ from some hon. Gentlemen who have spoken from this side of the House, when they inform us that pensions of the kind under consideration are extremely unpopular with the country at large. I am not at all fearful that the country will look with disfavour upon these grants; I entirely deny that these rewards are given for incurring so much danger and responsibility. We have plenty of courage and gallantry in our Army and Navy; what we desire to see in those Services is courage combined with the highest intellectual ability. We want not only brave men, but able men. We do not, as has been said to-night, pay our Army and Navy at a very high rate; and, therefore, surely it is desirable that rewards of this character, open to the ambition of able men, should be accessible to the officers in our Naval and Military Services. The hon. Member for Stoke (Mr. Broadhurst), who moved the Amendment, has said there are men in this House who, in the arts of peace, have deserved more of their country than any soldier or sailor has done. But I would point out that the arts of peace are much more likely to bring their reward at the cost of far less personal sacrifice than that which is required by our Military and Naval Services. But it is not the hope of pecuniary reward that tempts men into the Army and Navy. Strange as it may seem to some hon. Members, a seat in the House of Lords is an object of desire to many officers, and the possibility of obtaining it does, no doubt, make them anxious to master their Profession, and to render service to their country in case of need. Sir, I think it would be bad policy if the House were to refuse these honours; and I trust that, having made a protest against the present grant, hon. Members will be content to allow the second reading of the Bill to be taken by a unanimous vote.

Lord EUSTACE CECIL: Sir, I do not think it fair, either upon this side of the House or upon that, to attack, through individuals, that which is really the policy of the Government. Whether that policy is right or wrong, I consider it ought to be attacked, if necessary, in other ways, and I shall therefore vote with the Government. Having said that, I think I may refer to a question which has not been touched upon in the course of these debates—namely, the question relating to the whole system of granting Naval and Military pensions. It seems to me that precedents, when they come to be looked into, notwithstanding what has been said this evening with regard to them, are found very often to fail; and that there is very little else, sometimes, than rule-of-thumb, to regulate the honours and rewards conferred upon Military and Naval officers. There seems to be an uncertainty and inequality about the matter, which is, at the same time, open to another grave defect, which I may call the political aspect of the question. As far as I can understand, the noble Marquess opposite (the Marquess of Hartington) grounds his defence of what has been done in the case of Sir Frederick Roberts, upon the fact that he was not in chief command of the Army at the time of his march to Candahar. The noble Lord, I think, said also, that Sir Donald Stewart was quite as deserving, or more so, of reward than Sir Frederick Roberts, which seems to me equivalent to saying that the reward in one case was not sufficiently large. It seems to me that, judging by former precedents, it was customary, before the commencement of the present century, to grant very much larger pensions than it is at present for Naval and Military services. I find, on reference, that Lords Duncan, Camperdown, St. Vincent, Amhurst, and others, were granted pensions of as much as £3,000 a-year, of which £2,000 was charged on the English Consolidated Fund and £1,000 on the Irish Consolidated Fund. These pensions were granted before the commencement of the present century; but, since then, it has been the custom—I think the right hon. Gentleman the Prime Minister said the usual custom—to grant the sum of £2,000 a-year in perpetuity, as in the case of Lord Hill and others. But it was then also the custom to make grants of pensions of three lives, as in the cases of Lords Combermere, Seaton, Keane, Gough, and Raglan, there being only one exception as to amount—namely, that made in the case of Lord Hardinge, which has been referred to; but Lord Hardinge's case was not quite similar to this, because his was a case of special services, and he had a pension of £3,000 a-year granted him for three lives. Then we come to more recently granted pensions, one of £2,000 a-year to Lord Napier of Magdala, and one of £1,000 a-year to Sir Henry Havelock. But there are, as the hon. Member for Northampton (Mr. Labouchere) did not mention, but as hon. Members may, on reference, ascertain, cases of distinguished and illustrious Commanders being promoted to the Peerage without receiving any pensions at all. Those cases form precedents which the Prime Minister did not mention; but I will mention three noble and distinguished Generals who were promoted to the Peerage, but who never received any grant of public money in the form of a pension. Those three illustrious and distinguished Commanders were Lord Strathnairn, Lord Sandhurst, and Lord Airey.

Mr. GLADSTONE: In those instances, the noble Lords were not rewarded for special services.

Lord EUSTACE CECIL: They were promoted for their Military services—Lord Strathnairn, I recollect, for special services in India—and all, because they were distinguished Generals; at all events, I cannot conceive for what other reason they were promoted. None of them received any grant of public money in the shape of a pension, and, therefore, I say, in the face of those three precedents, the Prime Minister's contention falls to the ground. Lord Strathnairn was promoted for special services. I recollect the circumstances perfectly well. He was raised to the Peerage after distinguishing himself in India, and no pension was granted to him. I have shown, therefore, that when you come to precedents in these matters, your precedents fall to the ground, and that there is really no precedent. The only precedent is the determination of the Prime Minister of the day, and if he thinks it right to come to this House, and ask for a grant of public money for a distinguished Commander, it is perfectly within his right to do so; and I hold, though I do not advocate it in this instance, that this House has a perfect right to refuse a grant of public money for a distinguished Commander, although it may be supported in certain instances by precedents that have been named. It seems to me that in the case of Lord Wolseley, either the grant is too little, as I have shown, because there are many distinguished Commanders who have received pensions for three lives of £3,000 a-year, and some pensions of £2,000 a-year in perpetuity; or else it is too much, when you come to compare it with what was given to Sir Frederick Roberts and to others, and when we bear in mind that there are noble Lords who received no pension—one noble Lord I have specially named—who received no pension at all, but who performed very distinguished services in India—namely, Lord Strathnairn.

THE MARQUESS OF HARTINGTON: Is the noble Lord aware of the date of Lord Strathnairn's creation?

LORD EUSTACE CECIL: About 1858, I think.

THE MARQUESS OF HARTINGTON: He was created a Peer in 1866.

LORD EUSTACE CECIL: Whether he was created a Peer in 1858 or 1866 matters very little. He was raised to the Peerage for distinguished services in India. If he was not raised to the Peerage for special services, I do not know for what he was elevated. But now I want to dwell upon another matter. A great deal has been said with regard to a certain speech at the Mansion House two or three years ago. I happened to be present, and I distinctly recollect hearing a very able and eloquent speech by Sir Frederick Roberts. Everyone who was present knows perfectly well the views he advocated. Everyone knows that he was directly opposed to the short-service system, which a great many in this House, and out of it, still think is not perfect. I distinctly remember watching the face of the right hon. Gentleman the present Chancellor of the Exchequer (Mr. Childers), who happened to be then Secretary of State for War; and the impression left on my mind was that that speech was not agreeable to the right hon. Gentleman.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): Perhaps the noble Lord will remember what I said directly afterwards. I entirely agreed with Sir Frederick Roberts except in one particular.

LORD EUSTACE CECIL: Yes, I recollect that; but I also recollect, with regard to after-dinner speeches, that, however much you may agree or disagree with what has been said before, it is generally necessary to say something very pleasant of the distinguished person who has spoken before you. I cannot recollect precisely the speech which my right hon. Friend made; but I have no doubt it was a very able speech, and that he did justice to Sir Frederick Roberts' great merits. Nevertheless, I am quite certain that the right hon. Gentleman totally disagreed with the views of Sir Frederick Roberts.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): The noble Lord is entirely mistaken. I agreed with him entirely, except upon one point.

LORD EUSTACE CECIL: I am only speaking of this one point—namely, the question of short service. I have no other means of judging, and, of course, I accept the right hon. Gentleman's statement, and I hope, if he is in such complete accord with Sir Frederick Roberts, he will carry out those views. I do not wish to be severe on the right hon. Gentleman; but I must say that there is a very strong feeling in the Army, and out of it, that Sir Frederick Roberts was very severely treated. I have heard it stated over and over again; and that that was the reason he received the reward afterwards accorded to him. There is an impression to that effect, though I am willing to believe it is a false impression. I am perfectly willing to give so much credit to the noble Marquess, and to the right hon. Gentleman the Chancellor of the Exchequer; but it is the misfortune of these political speeches, that they are misunderstood in the Army. Ten or 12 years ago, on the discussion of the Army Bill in 1871, there was the same state of things, and the contention then was, that by changing the system at that time, political considerations would have a much greater effect upon the officers than they had previously had. I wish to call attention to one more speech, more recently made at the Mansion House — namely, on November 9th, 1882. I am quite certain that speech gave a false impression at the time, though I entirely acquit the right hon. Gentleman of any desire to say or do anything but what was agreeable at the moment. If the speech, however, had the same effect on other minds as it had on mine, it must have surprised many; but perhaps the right hon. Gentleman was ironical. I do not think he was. The right hon. Gentleman the Chancellor of the Exchequer compared Sir Garnet Wolseley with the great General Wolfe, and the victory at Tel-el-Kebir with the victory on the Heights of Abraham; and then he said—

> "In one respect, Tel-el-Kebir differs from Quebec. At Quebec, Wolfe fell. Of him the historian says—'To all the fervour of spirit the liberality of sentiment, and the enlarged views of the hero, he united the presence of mind and military skill which constitute the great commander.' Wolfe fell, but our great commander, to whom the description of Wolfe well applies, has happily been preserved to us. Long may we hope to promote by his example and his exertions the efficiency and the honour of the British Army."

I do not wish to say anything unpolite or uncivil to the right hon. Gentleman; but we have heard a great deal about bombast, and if that is not bombast, I do not know what is. To compare Sir Garnet Wolseley to the great General Wolfe fighting against French veteran troops under the Marquess de Montcalm, is to do little honour to Sir Garnet Wolseley. I say it is unkind to Sir Garnet Wolseley, because it gives a false impression. The Army read these things, and very likely the Army and the public value them at their proper weight. I think it is very unfortunate, because the result is that we find that Sir Garnet Wolseley feels himself obliged—and I do not blame him—to say as pretty and as agreeable things to the right hon. Gentleman in other places; and the suspicion does get into the public mind and into the mind of the Army, that all these speeches at the Mansion House and elsewhere, are actuated by other than mere military motives. We all recollect what happened at the commencement of the Egyptian War. The matter was brought forward by the hon. and gallant Member for Ayrshire (Colonel Alexander), and he was called to task at the time for using rather strong language. I do not say that his language was stronger than his feelings; but, at all events, there is no doubt that he did make use of expressions which were found fault with at the time. The facts which were mentioned at the time, were these. There were four or five officers appointed to the Staff of the Army in Egypt. It would be invidious to name them, but two were in high command; and it was well known what their political views were. Now, I have no doubt the Government used their responsibility in a proper way; I do not for a moment say they did not; but it was unfortunate, and when these things are coupled with speeches made at the Mansion House and elsewhere, can anybody be surprised or wonder that the Army do draw deductions from the promotions, and say "So-and-so is the luckiest man that ever lived. He has been made a Peer and has been given £2,000 a-year?" I do not say Lord Wolseley has not deserved everything that he has got; but I say the manner in which the promotion has been made by the Government has not been fortunate. I am quite certain it is open to criticism, and to criticism which I, for one, am very sorry to see applied to any act of the Executive Government. I call again upon the Government to seriously consider the question of pensions. I should be very glad if a Committee of the House were appointed to inquire into the whole matter, and if it could be laid down, in the future, that under circumstances where an illustrious General was to receive a Baronetcy or a Peerage, the elevation should be accompanied by a certain sum of money for certain duties. If that rule existed, many debates and much jealousy and ill-feeling would be avoided. I will not pretend to say what the result of that Committee would be; but of the advisability of the appointment of a Committee, I am quite persuaded. I sincerely hope the right hon. Gentleman at the head of the Government, who I know is actuated by fair sentiments in the matter, will give it his serious consideration, because I can assure the right hon. Gentleman that the way in which promotions have been given of late have caused very great discontent and very much jealousy, many officers naturally fancying that they have been overlooked. I feel it my duty to mention these matters, and I hope I have not said anything to wound the feelings of the right hon. Gentleman the Chancellor of the Exchequer or of the Prime Minister. I believe that both those right hon. Gentlemen wished to act fairly in the matter. They have, however, said that, in coming down to the House and asking for pensions to the distinguished Commanders, Lords Alcester and Wolseley, they were acting according to precedent. I am afraid that people who are independent of all Parties and of all political considerations, will unquestionably come to the conclusion, after looking into the matter, that, after all, politics are much higher in the scale of Ministerial consideration than precedent.

Mr. BRYCE said, he did not propose to enter upon the controversial questions raised by the noble Lord opposite (Lord Eustace Cecil), but desired to make a few remarks upon the main issue which seemed to be rendered necessary by the observations which fell from the right hon. Gentleman the Prime Minister a short time ago. The right hon. Gentleman seemed to assume that all those who supported the Vote of Credit, and all those who joined in the Vote of Thanks to the Army and Navy, were bound to support the proposed pensions. The right hon. Gentleman also seemed to think, no doubt, owing to the silence of many hon. Gentlemen on the Ministerial side of the House, that it was a little inconsistent in them to oppose the Vote, and that they did so because they had changed their minds about the policy of the Egyptian Expedition. He (Mr. Bryce) had heard, with the greatest regret, the speeches of his hon. Friends the Members for Northampton (Mr. Labouchere) and Carlisle (Sir Wilfrid Lawson), and he thought it right to say that he believed that those speeches entirely misrepresented the feeling of many sitting near him. The hon. Baronet the Member for Carlisle did his best, by attacking the whole policy of the Government in Egypt, to spoil a good case. He (Mr. Bryce) and many of his hon. Friends did not regard this as a question in which the policy of the Egyptian Expedition was involved. They would think it most unjust if they visited any disapproval of the war they might feel—supposing that they did feel such disapproval—upon the distinguished Officers who were the subject of this debate. They felt those Officers had served their country well, and they desired to take every means in their power of showing their recognition of the services they rendered. But they must take the proposal as it came to them. It was a proposal to grant pensions for two lives, or, in other words, to impose a war charge upon those who were to come after us; and, therefore, they felt bound to offer it the most strenous opposition. He believed that no proposal which had been made to Parliament of late had excited more general disapprobation and dislike amongst the working classes of the country. If the proposition had been one to make a grant of money, or even to give a pension for one life, much less opposition would have been offered to it. The House must take it as they found it. The only argument that had been adduced in its favour was that it was according to precedent; he should prefer to call it a survival from the bad customs of a less enlightened time when the military spirit indulged itself at the expense of sound finance. The sooner we set up precedent the other way, the better it would be for the interest of the country and the more consonant to its feelings.

Mr. ONSLOW said, that, in all such matters as the present, they should discard politics, though he could not help feeling that the insufficient remuneration of Sir Frederick Roberts was due to the fact that his views were at variance with those of the Government. The noble Lord (Lord Eustace Cecil) had cited the instance of Lords Strathnairn, Airey, and Sandhurst, and had tried to draw a comparison between the Peerages given to those noble Lords and that given to Lord Wolseley. The Peerage was awarded to Lord Sandhurst, not for any particular battle he fought, but for a long life of devotion and service to his country, closing with the appointment of Commander-in-Chief in India. It had been asserted that that noble Lord would never had received a Peerage if it had not been that the Government of the day wished him to carry the Non-Purchase Bill through the House of Lords. He (Mr. Onslow) did not know whether that was true or not; but he was sure there was no Liberal Lord who deserved a Peerage more than Lord Sandhurst. Lord Strathnairn did not receive his Peerage for any particular battle he fought, but for general services to the country, especially during the Indian Mutiny; and the same was the case with Lord Airey. Reference had been made to his lamented Friend, Lord Lawrence. He believed there was no one who deserved more the good will of his country and a pension for himself, his son, and his son's son, than Lord Lawrence. He should be sorry to think that any Ministry—Conservative or Liberal—would, for one moment, when a question arose of awarding to Generals and Admirals the honours and distinctions they might have gained, take into consideration the politics of the individual. The noble Marquess the Secretary of State for War (the Marquess of Hartington) had said that there ought to be some distinction between the rewards given to Indian officers and those given to English officers. The noble Marquess contended that it was courage coupled with ability that ought to be rewarded. He (Mr. Onslow) quite agreed with the noble Marquess; and, in doing so, maintained that the courage and ability which Sir Frederick Roberts displayed had not been sufficiently remunerated compared with the sum of money it was now proposed to vote to Lord Wolseley. He should, however, be sorry to vote against this particular grant. He should be sorry to show by his vote that he did not believe Lord Wolseley had deserved well of his country; and if he voted against the Bill, that no, doubt, would be the interpretation placed upon his action. The noble Marquess had said, also, that Sir Frederick Roberts was not in command of the Army in Afghanistan. As a matter of fact, however, Sir Frederick Roberts, when he marched from Cabul to Candahar, was practically in command. General Primrose, who was superior in service, was in Afghanistan; but General Roberts, on arriving at Candahar, superseded him, and at the time of his famous march was virtually in chief command. In voting with the Government on this occasion, he and others wished it to be understood that they considered Lord Wolseley had been rewarded rather too highly in comparison with some of those officers who had received rewards before him. They did not wish to disparage in any way the services Lord Wolseley had rendered to his country, and, therefore, many hon. Gentlemen sitting on the Conservative side of the House would vote with Her Majesty's Government.

Question put.

The House *divided*:—Ayes 178; Noes 55: Majority 123.—(Div. List, No. 67.)

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

## MOTIONS.

### PIER AND HARBOUR PROVISIONAL ORDERS BILL.

On Motion of Mr. John Holms, Bill to confirm certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Inverness, Lamlash, Leven, Methil, Porthleven, Truro, and Wick and Pulteney, *ordered* to be brought in by Mr. John Holms and Mr. Chamberlain.

Bill *presented*, and read the first time. [Bill 147.]

### CHANNEL TUNNEL—THE JOINT COMMITTEE.

*Ordered*, That the Lords Message [19th April] be now considered:—

*Ordered*, That the Select Committee appointed to join with the Committee appointed by the Lords "to inquire whether it is expedient that Parliamentary sanction should be given to a submarine communication between England and France; and to consider whether any or what conditions should be imposed by Parliament in the event of such communication being sanctioned," do meet The Lords Committee, in the Committee Room B, To-morrow, at Three of the clock.

*Ordered*, That a Message be sent to The Lords to acquaint their Lordships that this House hath directed the Select Committee appointed by them to join with a Committee of The Lords "to inquire whether it is expedient that Parliamentary sanction should be given to a submarine communication between England and France; and to consider whether any or what conditions should be imposed by Parliament in the event of such communication being sanctioned," to meet the Committee appointed by their Lordships, in the Committee Room B, To-morrow, at Three of the clock, as desired by their Lordships; and that the Clerk do carry the said Message.

*Ordered*, That the Select Committee appointed to join with the Committee of The Lords have power to agree in the appointment of a Chairman of such Joint Committee.—(*Mr. Chamberlain.*)

House adjourned at half after One o'clock.

---

# HOUSE OF LORDS,

## *Friday*, 20*th April*, 1883.

MINUTES.]—Public Bills—*First Reading*—Legitimacy Declaration Act, 1858, Amendment* (38).

*Second Reading*—Stage Plays in Aid of Charities (32), *negatived.*

*Committee — Report* — Land Drainage Provisional Order * (26).

*Third Reading*—Bills of Sale (Ireland) Act (1879) Amendment * (29), and *passed.*

### CHANNEL TUNNEL—THE JOINT COMMITTEE.

Message from the Commons, That they have ordered the Committee appointed by them to join with a Committee of their Lordships to inquire whether it is expedient that Parliamentary sanction should be given to a submarine communication between England and France, and to consider whether any or what conditions should be imposed by Parliament in the event of such communication being sanctioned, to meet the Committee appointed by their Lordships in Room B., this day, at Three o'clock.

Ordered that the Committee appointed by this House do meet the Committee appointed by the Commons, this day, in Room B., at Three o'clock.

### CENTRAL ASIA—RUSSIAN ADVANCE. QUESTION.

Viscount CRANBROOK: My Lords, I wish to ask the noble Earl the Secretary of State for Foreign Affairs, Whether there is any intention on the part of the Government to lay upon the Table Papers relating to the advance of the Russians in Central Asia?

Earl GRANVILLE: My Lords, I have been in communication with my noble Friend the Secretary of State for India, and we do not think it would be of any advantage, or that it would be wise at the present moment, to lay Papers on the Table.

### PRIVATE BILLS.

*Moved* to *resolve* that the following be made a Standing Order:

"In any case in which an infant is or may be interested in the consequences of an Estate Bill, the Chairman of Committees may, if he think fit, require that such infant shall be represented before the Committee on the Bill by a person to be appointed as or in the nature of a guardian or protector of such infant by the Lord Chancellor, or the Lord Keeper of the Great Seal by writing under his hand."

*Agreed to;* and the said resolution ordered to be added to the Roll of Standing Orders, to be numbered 163a, and to be *printed.* (No. 41.)

### STAGE PLAYS IN AID OF CHARITIES BILL.—(No. 32.)

(*The Earl of Onslow.*)

SECOND READING.

Order of the Day for the Second Reading read.

The Earl of ONSLOW, in moving that the Bill be now read a second time, said, he was not asking the Legislature to introduce any new practice, but merely to sanction that which had, in ignorance of the law, taken place for 40 years without any person interfering. It had hitherto been the practice of those who were owners of large houses—many being Members of their Lordships' House—to grant the use of those houses temporarily for the performance of stage plays, concerts, and other similar purposes in aid of charities; but, until recently, it appeared to have occurred to no one that it was possible that such benevolent intention was otherwise than perfectly legal. It would probably be in the recollection of their Lordships that a month or two ago a case was tried by one of the police magistrates of the Metropolis—the case of Sir Percy Shelley—in which it was stated that a private person had no power to lend his house for this purpose without contravening the law. The effect of that decision was that any person who lent his house for the purpose of a charitable performance would hereafter be liable to a penalty of £20, and every person who took part in it would be liable to a penalty of £10. The history of the subject was briefly this. Before 1837 there was, practically, no Statute law on the subject. The law relating to the Theatrical Profession then consisted really in those portions of the Vagrant Acts which dealt with actors as rogues and vagabonds. But in 1837 a distinct authority was given by Parliament to the Lord Chamberlain, continuing and confirming his power to licence plays for the Metropolis, which continued until 1843, in which year an Act was passed giving to the Lord Chamberlain authority to licence places for stage performances within the whole of the Metropolitan boroughs. It was under that Act that the case he had referred to was decided, though for a considerable number of years no person had thought of interfering in the matter. With regard to that Act a noble and learned Lord, who was not then in the House (Lord Bramwell), declared on one occasion that it was very clumsily drawn, and their Lordships would probably agree with that opinion; and although the point whether the Act applied to performances in aid of charities was not what was raised before him, the noble and learned Lord declined to express any opinion upon it. Under these circumstances, he (the Earl of Onslow) would ask their Lordships to relieve those who were labouring under the disability he referred to. There could be but little doubt that public interest in the Dramatic Profession had considerably increased in the last few years, and a school was now established in England for the training of actors. It had been said that there was considerable rivalry and jealousy between professional and amateur actors; but he thought there was much misconception on that point. Some somewhat scathing remarks were made a few days ago, by perhaps the leading actor of the present day; but he had ascertained that they were intended to apply, not so much to those who were *bonâ fide* amateurs or who were members of Dramatic Clubs, which had for their object the training of young men and women for the stage, as to those who appeared on the public stage before they were qualified to do so. As a proof that the public interest in dramatic performances had increased, he might state that while in 1843 there were only 29 theatres in the Metropolis, in 1878 there were 50, and the number had since increased by five or six. There were only two objections urged against the measure. First, that it tended to take away from an author the copyright of his work. Any such intention as that was far from his thoughts when framing the Bill; but if it could be shown that it would have this effect, he should be perfectly willing to insert a clause in Committee to meet it. The second objection was far more important—namely, that there was nothing in it to protect the public from the danger of fire. He had every desire to see the public properly protected in this respect, and, with that view, he submitted the Bill, three weeks ago, to the Metropolitan Board of Works, with a request that they would suggest a clause to meet the objection; but, up to the present, he had received no reply from the Board. He had, therefore, prepared a clause on the point, proposing that the occupier of any house where stage plays were performed should give eight days' notice of any performance to the Clerk of the Metropolitan Board of Works, and that if it should appear that such place was defective in structure, or that there was any danger to the persons attending, the Board should have power to prohibit the entertainment. During the last 40 years there had been no interference on the part of the Goverment or the Metropolitan Board of Works with those who gave such charitable performances; and he could not believe that their Lordships would now oppose an effort to rectify the law in order that they might be given legally.

*Moved*, "That the Bill be now read $2^a$."—(*The Earl of Onslow.*)

VISCOUNT CRANBROOK believed the matter was not of sufficient importance to call for legislation, and that the noble Earl had not made out a case for interference in the subject by Parliament. It was a pity to put in motion so great a machine to meet what at the most was a trifling inconvenience. The Lord Chamberlain's power was useful, and such measures as this tended towards its abrogation. What were charitable purposes? And why impose upon magistrates the decision, which would vary in different places according to their idiosyncracies? If ladies and gentlemen now chose to assemble in a theatre, there was nothing to prevent them from subscribing what they pleased to any charity, provided that was done voluntarily; but if money was to be taken at the doors, there was no reason why they should escape the present restrictions. The licence was not costly, and the matter was really not one of public importance, or one which called for any legislative interference. He should oppose the Motion.

The Earl of ROSEBERY said, he quite agreed with every word which had fallen from the noble Viscount. His own views, however, went even further. The object of the Bill appeared to be this. It was not such a small thing, for it meant simply the cancelling of the main principle of the Act for licensing theatres. That principle — which was founded on the wise ground of public utility—was that no performance should take place in any but a patent or licensed theatre. It was not necessary to remind their Lordships that a licence was required for theatres on grave public grounds. The noble Earl, it was true, would make an exception in the case of performances for any purpose of charity or of public utility. But he (the Earl of Rosebery) thought both these terms admitted of very wide interpretation. The definition of charity could be applied to a vast number of cases, ranging over an infinity of subjects; but, after all, the question was, whether people assembled to see a performance for the purpose of charity or public utility or not, they must be protected, as all great assemblies should be protected. The idea of the Legislature in insisting on licences was not to recognize the authority of the Lord Chamberlain or of the Justices of the Peace, but it was to see that no plays were presented to audiences which were not suitable for representation. The noble Earl, as to that, only laid down that no play should be presented which had been refused the Lord Chamberlain's sanction; and there was nothing in the Bill, as far as he could see, to prevent any play, however improper it might be, which had not been submitted to the Lord Chamberlain, from being presented in this manner. Another requisite in matters of this kind was the preservation of order, and there was also the protection against fire and the safety of the structure in which theatrical performances were given. If there were any particular theatrical performance that would seem to require the protection of the Legislature, it was one which took place, not in a structure usually employed for the purpose, but in a private dwelling-house or some building not intended for it; but it was exactly in that case that the noble Earl's Bill would withdraw every protection which was deemed essential with regard to buildings constructed for the purpose. The noble Earl had alluded to the great increase in the number of theatres which had taken place in London during the last 30 years; but that statement furnished one of the strongest arguments against his own Bill, because if there had been that very great increase, there was surely no particular reason for endeavouring to introduce a new and unlicensed sort of theatre for the amusement of London playgoers. If charitable performances were required, there was nothing, or very little, to prevent the engagement of a theatre for the purpose. For these reasons, he was sorry to say that the Government were not able to support the second reading of the Bill.

*Resolved* in the *Negative.*

## WESTERN ISLANDS OF THE PACIFIC —AUSTRALIAN COLONIES—ANNEXATION OF NEW GUINEA BY QUEENSLAND.

### QUESTION. OBSERVATIONS.

The Earl of CARNARVON, in asking the Secretary of State for the Colonies, Whether the report that the Government of Queensland has annexed the whole or part of New Guinea is correct; and whether Her Majesty's Government is a consenting party to this annexation? said: I wish to make a few observations upon the Question I have put to the noble Earl, and I will also add this further Question—Whether the other Australian Colonies are also consenting parties in the transaction? The territory which I understand to have been annexed may be described as half a continent. The other half belongs to the Dutch Government, and I believe, therefore, that the portions claimed by the Queensland Government are those towards the south and south-east. But, in the first place, I wish to say that I do not make my observations in any adverse spirit towards the Government of Queensland, my object simply is to understand some of the conditions and circumstances of this transaction. I think I can partly understand the grounds on which the Queensland Government have acted. There has been of late years a much larger intercourse growing up, and a larger traffic passing through the Torres Straits, and, no doubt, a greater tendency to abuse with regard to many of the Natives employed in that trade; and I can conceive it possible that some salutary restrictions of greater weight than now exist, and such as can be enforced only by an organized Government, are necessary. But I apprehend that the real fear of the Queensland Government is that which is common to the other Australian Colonies—namely, the fear of some foreign annexation. I myself do not share this apprehension, at all events at this moment. When this question arose—as it did in 1876—Germany distinctly repudiated any intention of acting in such a manner. The United States also followed their traditional policy, and showed no inclination to depart from it, and it would be an unfriendly act in any Foreign Power to intervene and annex any portion of New Guinea when they knew that the matter was under the consideration of Her Majesty's Government. But, at the same time, I can also make large allowances for the feeling of Queensland on this subject, and I can enter into and understand it. I believe there are many questions connected with the Australian Colonies which it is hard for us to understand in this country; such, for instance, as the dislike to admit Chinese into Australia. The real question which arises, as I understand it, is the question of the policy, and, still more, of the principle upon which such an appropriation of territory as this is made. From the Queensland point of view, so far as Queensland is concerned, I believe there is no Colony which has made greater strides during the last few years; its development has been enormous; but, at the same time, the territory which they have now is also enormous, and the territory which they propose to annex constitutes an immense addition to the responsibilities of the Government. It is very hot, being so many degrees nearer the equator, and the coast has always been supposed to be unhealthy. As far as I know, it is still comparatively a *terra incognita*, and some years ago, except the Missionaries, there were no White people in the Island. There are many savage tribes there; their numbers have been variously estimated, sometimes as high as 3,000,000 or 4,000,000; at all events, they are very considerable, and the larger the number of Natives the greater difficulty and responsibility in the administration. I want to understand whether it is proposed that the Government of Queensland is to govern this great territory by itself, or whether in connection with other Australian Colonies, or with ourselves? The Colonial Secretary was once very much opposed to annexation. I remember that he said in a speech some years ago that he thought we possessed "Blacks enough," and he did not desire that we should annex any more. I should like to hear his opinion on this question. I wish to draw the attention of your Lordships to another important point, and, in so doing, it will be necessary for me to refer for a moment to the history of the matter. In 1876 the question of New Guinea first arose. The annexation of the Fiji Islands had at that time been pressed on us in the interests of the Australian Colonies. At that time I thought it my duty to propose to those Colonies that they thould bear a share of the expense incurred in establishing the new Government. They declined, however, any system of joint responsibility in the matter. I did not complain then, nor do I now, of that action; but as soon as the question of contribution arose—and I asked for it, not for the sake of the money, but for the sake of the principle—they declined to assist. The next question which arose was that of the annexation of New Guinea, and I naturally reverted to the previous transactions with regard to Fiji. I will read a sentence showing the manner in which I mentioned this principle. In writing to the Governor of New South Wales, in December, 1875, I said—

"I am satisfied that not only is there no disinclination, but that there is a hearty willing-

> ness on the part of the people and Parliament of this country to accept, whether in expense or responsibility, the burdens which the annexation would throw on them; but it is simply impossible either to admit, or, if I made the admission, to persuade the English people that the Australian Colonies have no special interest in the annexation of New Guinea."

And I then went on to argue from the case of Fiji that they ought to share in the burdens of that annexation. Since then the question has been at rest until now. But I draw attention to this point in order to show that if this annexation be accepted, it ought to be on some such principle that if ever greater consolidation is to be given to the Empire, it can only be given by and through that principle. Since I stated that principle in 1876, I believe the feeling, Colonially, has grown considerably in that direction. In time of war there has been ample evidence of the loyalty and devotion of these great Colonies. The slightest threatening of war has been sufficient to produce an outburst of loyalty on their part; and, therefore, it would not be a wise policy to press them unduly. But this is an occasion when that question forces itself on us for consideration. Of late years the Australian Colonies have been taking a forward step in this direction by erecting fortifications and works, which are no doubt primarily of importance to themselves, but secondarily of Imperial significance. The peculiarity of this annexation is that it has been done by a lawful, regular, and responsible Government, which has now appealed for the act to be sanctioned by Her Majesty's Government. I think that the action was premature; but I prefer to suspend my judgment upon it till I hear more of the case; and, anyhow, I now address this Question in no jealous or unfriendly spirit. I regret, however, extremely to find that "elsewhere" language has been used imputing to the Queensland Government unworthy and piratical motives. Such language is totally unworthy of the person using it, of the place, and of the subject to which it was applied; and if those words had been spoken with any authority they would be highly mischievous. The best excuse is the complete ignorance of facts which must have existed. But I am sorry such language has not been disavowed, and that the official answer made to it was such as may encourage a belief that Her Majesty's Government may possibly in some respects share the opinion which those words convey.

THE EARL OF DERBY: My Lords, I think I shall best answer the Question of my noble Friend — which I quite understand to be put in no unfriendly spirit towards the Government, and which, under the circumstances, is a perfectly natural and right Question to have been put—by telling your Lordships what I know in connection with this undoubtedly singular transaction that has taken place with reference to New Guinea. I think your Lordships will see why at the present stage it is better to abstain from all argumentative discussion, which, in my opinion, would be premature; and I will simply lay before you a plain statement of the facts. My Lords, some weeks ago Mr. Archer, the Agent General of the Queensland Government, called on me, by desire of his Government, and explained to me the strong feeling which prevailed in the Colony in favour of the annexation of New Guinea, or at least of that portion of it which most nearly adjoins the Australian coast. As I understood him, the desire for annexation was not due simply to a wish for extension of territory, but mainly it was due to three causes. First, a fear lest Foreign Powers should obtain command of the opposite coast of Torres Straits, and thereby be in a position to control and even to threaten a navigation which was every year becoming more important. Next, there was a fear lest some Foreign Powers should take advantage of the large unoccupied territory of New Guinea to establish a penal settlement there. That is a point on which the people, not only of Queensland, but of all Australia, are very sensitive. They apprehend if that were done it would be a great annoyance to the Australian Colonies. Thirdly, it was put forward that New Guinea was already becoming, or, at any rate, was very soon likely to become, the resort of adventurers and bad characters of all kinds, who go over from Australia, and when there are practically beyond the reach of British law, and who, if resident there, might become a source of annoyance to the Colonies. Mr. Archer stated to me that if the Home Government would only consent to the proposed annexation, the local authorities were ready to undertake all expense and responsibility. They wanted only our sanction. They did not ask us to do the work, but simply asked permission from us to do it themselves. I answered in general terms that I could not reply to a proposal of that kind without full consideration and without consulting the Cabinet, and, above all, without knowing much more than he had been able to tell me of the details of the plan on which it was desired to act. I told him that, until I knew more upon the subject, no expression of opinion from me was possible. I wrote at once to the Governor of Queensland, asking him various questions which naturally arose out of this conversation; and in the meanwhile I carefully abstained, as I have done from that day to this, from saying anything either to encourage or discourage the scheme. Nothing more passed. There has not been time for a reply to the despatch I sent out, and I heard nothing further until, I think, Saturday last; when to my extreme surprise the Reuter's telegram, with which we are all acquainted, appeared in the newspapers announcing the annexation. I telegraphed at once to the Governor of Queensland asking for an explanation. I received a reply on Monday, that—

> "To prevent Foreign Powers taking possession of New Guinea, the Queensland Government, through the Magistrate of Thursday Island, have taken formal possession, in Her Majesty's name, pending the decision of the Home Government. A despatch has been sent off.

Mr. Archer called on me again, and brought me a telgram addressed to him from the Governor of Queensland in almost identical terms with that which I received. That is all that has passed, so far. We are awaiting those fuller explanations which will, no doubt, be forthcoming, but which cannot be sent by telegram. Until we receive those explanations I think it better to abstain from any comment on what has taken place. I may perhaps add that I have frequently seen in the newspapers communications, in which the annexation of New Guinea has been spoken of as if it were an accomplished fact; but the ceremony gone through of taking possession in the Queen's name does not in the slightest degree bind Her Majesty's Government until a decision has been taken at home, There are many instances of British officers having hoisted the British flag over territory unclaimed, in regard to which no subsequent action has been taken. I think it will be clear, from what I have said, that the action of the local authorities in this matter has been taken on their own account altogether, and without any promptings, direct or indirect, from the Colonial Office at home. I was quite unprepared for the steps that have been taken, and my noble Friend was premature in his compliment or condolence—I do not know which it was—as to the Government having found itself compelled to adopt a policy of annexation. The Government are unpledged on the subject, and will remain so until they have more details before them which will enable them to come to a decision. With regard to the other Question of my noble Friend, whether the other Australian Colonies besides Queensland are consenting parties to what has been done, I have a telegram from the Governor of one other Colony expressing general approval and support of the act of the Queensland authorities; and, if I am to express a personal opinion, I have no doubt that there is a strong feeling in Australia generally in favour of the annexation. With regard to what my noble Friend said as to New Guinea, it is undoubted that there are foreign claims on the western part of the Island; but I am bound to say, in reference to the reason assigned by the Queensland authorities for what they have done, we here have no knowledge of any intention on the part of a Foreign Government to establish itself in the portion of New Guinea at present unoccupied and unclaimed. With regard to the nature of the country, to which my noble Friend has referred, there is nobody, I believe, in England or Australia, who can give much information as regards the interior. Though it is, as he says, a *terra incognita,* I am told that the coasts are becoming pretty well known. I am informed by some of those who have visited them that the imputation of unhealthiness that has been passed on this Island is not justified when speaking of it as a whole, but that the unhealthiness is supposed to be confined to certain portions adjoining the coast. As to the population, what their number is no one can possibly judge; but I dare say my noble Friend's estimate of 3,000,000 or 4,000,000 is not at all exaggerated. I am not in a position to make any further statement just now. The Government of this country is absolutely unpledged in the matter. We shall take no action until we have full information, and until we are able to subject the whole question to careful and deliberate consideration.

## METROPOLITAN DISTRICT RAILWAY—THE VENTILATORS ON THE VICTORIA EMBANKMENT.

### QUESTION. OBSERVATIONS.

THE EARL OF **MILLTOWN**, in rising to ask Her Majesty's Government, Whether, considering the vast importance of the Thames Embankment as a source of health and pleasure to the people of the Metropolis of the United Kingdom, they propose to take any steps to abate the nuisance by which the District Railway are now engaged in destroying the beauty and amenities of that great public work? said, the comfort of the public appeared to be a matter of supreme indifference to the District Railway Company. The ventilators erected by them would not have the effect they wished the public to believe, for on the North Metropolitan system, where ventilators already existed, the air was just as foul as if they had never been made. Their real object was to get rid of the steam, which was, no doubt, an obstacle to the working of the traffic; but this difficulty could be got rid of much more simply, either by the obvious method of condensing the steam, or by using compressed air, which had already been tried with success on a section of the Metropolitan Railway, or by using the electric system, which had already been adopted in Ireland on the railway between Port Rush and the Giant's Causeway, and had been sanctioned by Parliament for a railway between Waterloo and Charing Cross. It was true that there was no precedent for taking away from a Railway Company the powers conferred on them by Parliament; but this was an unprecedented outrage and desperate diseases required desperate remedies. If the Company were ordered to remove the ventilators, they might receive compensation—that was, they might be repaid the actual expense they would incur in restoring the Embankment to its former state. That expense might fairly be paid by the Metropolitan Board of Works, who had certainly been guilty of *laches* in not having opposed the Bill on its third reading. He wished to know whether the Government were going to stand by with folded arms and see this great work spoilt?

LORD **SUDELEY**: I regret that I cannot give any other reply than I did three weeks ago to the noble Earl. The Railway Company are strictly within their right, and, having gone through all the usual inquiries before a Committee of both Houses, they have the law on their side. Under these circumstances, the Board of Trade cannot interfere, and cannot express any opinion on the subject. This matter rather rests with the Metropolitan Board of Works than with any other Body acting for the ratepayers in the government of London. Although they strongly opposed the Bill while going through Parliament, it seems a great misfortune that they did not take the step of appealing to Parliament last Session when they found themselves beaten before the Committee. I am informed by the Board that as soon as the ventilators were commenced they at once took steps this year to introduce a Bill to oblige the Railway Company to give them up and restore the Embankment to its original state. Unfortunately, however, as Notices had not been given in November, the Standing Orders Committee of the House of Commons refused to allow it to proceed, so that no further steps can be taken this year. There appeared to be, however, two Railway Bills coming before the House of Commons for the second reading soon—one promoted by the Metropolitan District Railway Company, and the other jointly by the Metropolitan Railway Company and the Metropolitan District Railway Company. The Metropolitan Board of Works inform me that Notice has been given in the House of Commons of an Instruction to the Committee, to which these Bills will be referred, to consider whether, before further powers are granted to these Railway Companies, terms ought not to be made with them to restore the Embankment to its original condition, and give up the ventilators. Whether they are likely to succeed or not, I know not, and so far as the Board of Trade is concerned, I express no opinion. The First Commissioner of Works is very anxious that the hideous iron ventilating structure, near Westminster Abbey, spoiling one of the most beautiful sights in London, may, at any rate, be swept away; and I trust, with many of your Lordships, that some of the steps taken by the Metropolitan Board of Works may be successful, and that the day may not be far distant when the ventilators will disappear, and that the Railway will, by means of electricity or some other power, be worked without them.

## ARREARS OF RENT (IRELAND) ACT, 1882—APPLICATIONS FOR LOANS.

### QUESTION. OBSERVATIONS.

The Marquess of LANSDOWNE asked the Lord President, Whether he is able to state the sums for which applications have been received under Sections 18 and 20 of the Arrears of Rent (Ireland) Act, 1882, distinguishing, in the case of applications under the latter section, between those made by Boards of Guardians and those made by other bodies or persons. The noble Marquess said they were soon to have a discussion which would raise the whole question of emigration from Ireland. Whenever that came on it was desirable that their Lordships should be aware of what had been done under the existing law on that subject. It was for that reason he had put this Question. Section 18 had reference to advances to the public for emigration, and Section 20 dealt with grants of public money to Poor Law Guardians and other bodies and persons approved of?

The Earl of KIMBERLEY: My noble Friend (Lord Carlingford), who is unable to be present this afternoon, has requested me to reply to this Question for him. Up to the present time, applications for loans to the amount of about £2,782 have been made by Boards of Guardians under Section 18 of the Arrears of Rent (Ireland) Act, and the applications for grants under the 20th Section come to about £19,774—namely:—Applied for by Boards of Guardians, £17,589; by Mr. Tuke's Committee, £1,526; by the Ardfert Committee, £659. I should observe, however, that the money applied for by Mr. Tuke's Committee is only a very small instalment of the grants which may be made to that body, as the amount of the grants required can only be ascertained when the lists of the selected emigrants are received by the Irish Local Government Board. For the same reason, we do not know yet the grants which the Guardians want, although we are aware that they propose to emigrate a much larger number of persons than could be sent out for the sums I have named. The disparity between the loans and grants applied for is to be attributed to the fact that the difference between the Government grants and the actual cost of emigration is in many cases provided by the emigrants themselves.

## THE PARKS (METROPOLIS)—ST. JAMES'S PARK.—QUESTION.

The Earl of BELMORE desired, before the House adjourned, to ask again relative to the enclosure in St. James's Park. He was afraid it was intended always to shut the gates at 7 o'clock, whether it was dark or not; and he would like to know if it was so?

Lord SUDELEY, in reply, said, he was glad the noble Earl had given him an opportunity of correcting any misapprehension as to the hours of closing the Park which might have been caused by his answer to a Question by the noble Earl the other day. The gates would be opened at 5 a.m. from the 1st of April to the 30th of September, and at 6 a.m. from the 1st of October to the 31st of March. In order to keep the Park open as late as possible for the convenience of those who used it as a way of communication to and from their business, the enclosure would at no season be closed before 7 p.m. The hours of closing would be—from the 16th of September to the 15th of April, at 7; from the 16th of April to the 30th of April, 7.30; from the 1st of May to the 15th of May, 8; from the 16th of May to the 15th of August, 8.30; from the 16th of August to the 31st of August, 8; and from the 1st of September to the 15th of September, 7.30.

## LEGITIMACY DECLARATION ACT, 1858, AMENDMENT BILL [H.L.]

A Bill to amend the Legitimacy Declaration Act, 1858—Was *presented* by The Earl of Onslow; read 1ª. (No. 38.)

House adjourned at a quarter before Six o'clock, to Monday next, a quarter before Eleven o'clock.

## HOUSE OF COMMONS,

*Friday*, 20*th April*, 1883.

MINUTES.]—New Member Sworn—Timothy Harrington, esquire, *for* Westmeath County.
Public Bill—*Select Committee*—Crown Lands* [122], Mr. Courtney, Mr. Tomlinson, and Mr. Shield, *nominated.*

### PARLIAMENT—PUBLIC PETITIONS.

Leave to the Select Committee on Public Petitions to make a Special Report:—

Special Report *brought up*, and read as followeth:—

"Your Committee have felt it their duty to bring to the notice of the House, a Petition in favour of the repeal of the Contagious Diseases Acts, which was presented by Mr. Cavendish Bentinck from Whitehaven on the 12th of March last, and which they find to contain serious irregularities.

"Your Committee have observed that the Petition, though purporting to be signed by 414 persons, is in fact signed by 293 only, the remaining 121 signatures being in the same handwriting. Your Committee, therefore, having regard to the Orders of the House, have abstained from reckoning such names among the signatures.

"Your Committee have further to state that they have received a declaration from one George Scurr, stating that he had signed his name to a piece of paper without a heading, which he had since ascertained had been affixed to this Petition, and as to the nature of which he had been wilfully misinformed, and stating also that he had signed the names of his wife, Sarah Jane Scurr, and of his father and mother, John and Dinah Scurr, but without authority from his said father and mother to sign their names.

"Your Committee have also received another declaration signed by the said John and Dinah Scurr, wherein they state that their names, attached to the Petition from Whitehaven, against the Contagious Diseases Acts, were not written or signed by them, or by any person authorised by them to sign their names.

"Which facts your Committee beg to report to the House."

Report to lie upon the Table, and to be *printed.* [No. 134.]

## QUESTIONS.

### POOR LAW (SCOTLAND)—EXCESSIVE LEGAL CHARGES UPON A PAUPER LUNATIC.

Dr. CAMERON asked the Lord Advocate, Whether Mr. R. of Aberdeen, recently discharged as cured from a lunatic asylum, has been served by the inspector of poor with an account for £19 17*s.* 5*d.*, of which only £5 represents the charge for his board in the asylum, and the rest fees to procurator fiscal, sheriff clerk, and medical men and other charges; and, whether Mr. R. was committed, as a dangerous lunatic, at the instance of the procurator fiscal, acting in the public interest; and, if so, on what ground the procurator fiscal charges, for performing a duty of his office, fees exceeding in amount the charge for the ten weeks' board in the asylum, and by whose authority the inspector paid the charge?

The LORD ADVOCATE (Mr. J. B. Balfour): I believe the account of expenses in this case is correctly stated in the Question. The person referred to was committed as a dangerous lunatic at the instance of the Procurator Fiscal, acting in the public interest, under the provisions of the 15th section of the Lunacy Act of 1862. That enactment authorizes the payment of expenses to the Procurator Fiscal, and the Inspector paid these expenses under the authority of the Sheriff's decree. I must add, however, that I had directed an investigation to be made into this case, before it was brought under the notice of the House by the vigilance of my hon. Friend. I have no hesitation in saying that this account of expenses against a young tradesman, who had the misfortune to suffer from temporary derangement, appears to me to be quite exorbitant. I express no opinion as to whether all the items of the account can be legally exacted or not, as I understand the account is to be made the subject of litigation; but we shall consider whether some restriction cannot be applied, by legislation if necessary, to the expenses of such proceedings.

Dr. CAMERON suggested that the Lord Advocate should also include in his inquiry other cases in which similar charges had been made against Parochial Boards.

### EVICTIONS (IRELAND)—CO. ROSCOMMON.

Mr. O'KELLY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that Esther McDonnell was evicted by Mr. John Watkin from her farm near Kilmore, county Roscommon, last June twelvemonths; whether at that time she owed her landlord only one year's rent; whether, on the departure of the sheriff, Esther McDonnell's eight children returned to the shelter of their home, and their mother was obliged to seek shelter with some neighbour; whether, as a consequence of the want of a mother's care, six of these children took sick, and one of them died; whether, on the 28th of March last, the family was finally evicted from their home; and, whether he will censure whoever is responsible for the denial of Esther McDonnell's child's death contained in his reply to me of the 6th of April?

Mr. TREVELYAN: The hon. Member's former Question distinctly mentioned the eviction which took place on the 28th of last month, and none other, and certain alleged circumstances connected with it; and the answer which I gave him on the 6th of April was strictly accurate in every respect. The hon. Member now mentions, for the first time, a former eviction, which took place nearly two years ago, and makes further inquiries with respect to it. I find that in June, 1881, Esther M'Donnell was evicted, owing one year's rent due in the previous November. After the Sheriff left, the children returned to the house. Their mother stayed for a few days with a neighbour, when she also returned. Subsequently, some of the children took scarlatina, and in August, 1881, one of them died of that disease. I find no ground for censuring anyone with respect to the information supplied to me to enable me to answer the former Question, which related specifically to a long subsequent occasion.

## POOR LAW (SCOTLAND)—BOARDING OUT OF PAUPER LUNATICS—THE DUKE OF HAMILTON.

Mr. BUCHANAN asked the Lord Advocate, Whether it is a fact that at the monthly meeting of the Abbey Parochial Board held last week, the chairman stated that the board had been requested to remove from the island of Arran its lunatic patients boarded there by the 1st of June, as the Duke of Hamilton would not allow them to remain on the island; whether the request came from a person in whose house one of the patients was lodged, but that the chairman considered it unwise in that person's interest to read his letter or disclose his name; whether the five lunatic patients boarded on the island had been reported by the medical officer at the same meeting as in the best state of comfort, and living in clean and tidy houses; whether the board intends to transfer these patients elsewhere; and, if the facts are substantially as stated, what steps he proposes to take to prevent the Duke of Hamilton, by threats of eviction, from frustrating the administration of the Statute Law of the Realm?

The LORD ADVOCATE (Mr. J. B. Balfour): I believe the facts are, in substance, correctly set forth in the Question. The system of boarding out lunatics in the Island of Arran has been carried on by several parishes, and with successful results, and it is not surprising that the Abbey Parochial Board should regret being deprived of so good an outlet for their patients. On the other hand, it is not difficult to understand the objections which the Duke of Hamilton may have to the regular importation of lunatics into his property, and I do not contemplate taking any steps in the matter—indeed, I have no power to do so.

## HIGH COURT OF JUSTICE—ARREARS IN CHANCERY AND APPEAL.

Mr. H. H. FOWLER asked Mr. Attorney General, Whether he is aware of the large number of causes waiting for trial in the Chancery Division of the High Court, and in the Court of Appeal; and, whether the Government propose to take any steps to remedy the delay and increased cost occasioned to the suitors by the present administration of the Judicature Acts?

The ATTORNEY GENERAL (Sir Henry James), in reply, said, that the number of cases waiting for hearing in the Chancery Division of all descriptions, including adjourned summonses, was 848; in the Court of Appeal, 270. The House would be aware that a Committee of Judges had been engaged for some time in framing Rules in the hope of getting rid of some of the delay that now existed in the hearing of cases; and until those Rules were prepared, which would be shortly, the Government were not desirous of interfering with a matter over which the Judges had jurisdiction. The Government were now considering the introduction of a short Judicature Act, in order to lessen the delay of causes coming into Court.

## LAW AND JUSTICE (ENGLAND AND WALES)—BUSINESS OF THE ASSIZES.

Mr. H. H. FOWLER asked Mr. Attorney General, Whether his attention has been called to the following remarks of Mr. Justice Day, in his charge to the Grand Jury of Manchester on the 16th instant:—

> "The largeness of the number of cases was, as they were aware, owing to a recent change introduced in regard to the administration of justice at assizes. A change had been introduced in the form of the commission, and it now became the duty of the judges to clear the gaol of all the prisoners confined therein, whether committed for trial at quarter sessions or for trial at the assizes. The result of that necessarily was that a great number of the cases which the Grand Jury would have to investigate were in every sense of the term sessions cases. He could not help thinking, having regard to the vast amount of serious work which was accumulating on the judges and almost overwhelming courts of justice, and when he considered the great paraphernalia which properly surrounded the administration of justice at assizes, and the value of the time, and the inconvenience which it perhaps was to the gentlemen of the Grand Jury to be kept away from their occupations, he could not help thinking that their time and that of the judges of assize might with greater advantage to the public interest be occupied with the trial of cases of perhaps a more serious character than that of a woman charged with stealing a shawl of the value of 3*s*. 9*d*. or that of a man—hungry it might be—who was accused of stealing two meat pies and twelve ounces of bacon;"

whether he will inform the House why the Government have introduced the recent change referred to by the learned judge; and, whether it is the intention of the Government to continue the practice of requiring the judges to try cases committed to the quarter sessions?

The ATTORNEY GENERAL (Sir Henry James), in reply, said, it was after full consideration by all the Judges that it was determined that their visits to the two principal Assizes should be for the purpose of delivering the gaols of all prisoners, and therefore he was at a loss to know how Mr. Justice Day, sitting at Manchester, could have expressed himself against that arrangement.

Mr. H. H. FOWLER: The Attorney General has not answered my second Question. I want to ask him if it is the intention of the Government to continue the practice of requiring Judges to dispose of these trivial cases, and so prevent them from returning to London, where their presence is so much needed?

The ATTORNEY GENERAL (Sir Henry James): It is not so much a question for the Government as for the Legislature. I think provision might be made in the Criminal Code (Indictable Offences Procedure) Bill to meet the difficulty.

## SCOTLAND—THE REGISTRAR GENERAL'S REPORT.

Dr. CAMERON asked the Lord Advocate, Whether it is the case that, while the Detailed Annual Report of the Registrar General for Ireland for the year 1879 was published in the autumn of 1880, and the Detailed Report of the Registrar General for England for the same year early in 1881, the Detailed Report of the Registrar General for Scotland for 1879 has not yet been issued; and, whether he can explain how it is that the work of the Scotch Department is so much behind that of the English and Irish?

The LORD ADVOCATE (Mr. J. B. Balfour): The Detailed Annual Report for 1879 was sent to the Home Office on the 30th of March last, and will be immediately presented to Parliament. The Detailed Annual Report is distinct from the Annual Report. The Annual Report for 1882 is in the press, and will be issued in a few days. The Detailed Annual Report for Scotland must always be issued later than those for England and Ireland, owing to the system of duplicate registers in Scotland. The duplicate registers close on 31st December, and are compared in the parishes by the examiners during the course of the following year, before one copy is sent to the Registrar General, so that the last of them does not reach the hands of the Registrar General till a year after it is closed, and the preparation of the Detailed Annual Report proceeds in the following year. The current Reports are kept up to date; but the Detailed Annual Report must always be about two years after date. Temporary causes, especially the long illness and death of the Superintendent of Statistics, have retarded its preparation in the present instance still longer; but these being removed, its issue will before long be as much accelerated as the Scotch registration system admits.

### CRIMINAL LAW (IRELAND)—JOHN CASEY.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that John Casey has been detained for more than twelve months, and is still detained in prison without trial, charged with the murder of Mr. A. E. Herbert, J. P. Castleisland; whether he was brought up at the several assizes without any attempt on the part of the Crown to substantiate the charge against him; whether, at the last Cork Assizes, Lord Justice Fitzgibbon ordered him to be released on giving two sureties in £25 each to come up when called on; whether Mr. Morphy, Crown Solicitor, undertook that with a view to his release he should be reconducted to Tralee Gaol, from which he had been transferred to Cork under the Crimes Act to take his trial; whether two solvent securities presented themselves in Tralee on Saturday, and were informed by the officials that no instructions had been received for his release on bail; and, whether, in view of the fact that Casey has been during more than a year incarcerated without trial, steps will be taken to bring him to an immediate trial, or to carry out the order of Lord Justice Fitzgibbon, made a month since, for his release on bail?

Mr. TREVELYAN: It is the case that John Casey has been detained, as stated, on the charge of murder of Mr. Herbert. A true bill was found against him at the Summer Assizes last year, and the trial was postponed, bail being refused. At the Winter Assizes the trial was again postponed, and the Crown consented to bail, which, however, was not forthcoming. At the late Spring Assizes a further postponement took place, and the Crown again consented to bail, and the Judge made the necessary order. At the suggestion of the Crown Solicitor, the prisoner was removed to Tralee for the convenience of himself and his bailsmen. It was the business of the prisoner's solicitor, and not of the Crown, to see the Judge's order carried out, and if any delay has occurred the fault rests with him. The Constabulary have been instructed to give any aid they can in expediting the matter.

### POOR LAW (IRELAND)—THE FRANCHISE FOR THE ELECTION OF GUARDIANS.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the case that the Law relating to the Poor Law Franchise is at present involved in great doubt and confusion; whether there has ever been any authoritative decision as to the maximum number of votes for a poor law guardian for a particular electoral division or ward, which a properly qualified individual ratepayer may have; whether he is aware that the sections of the Poor Law Acts dealing with the matter appear as they stand to enable a single properly qualified ratepayer to have 36 votes in each electoral division or ward of a union, viz., 6 as occupier, 6 as occupier possessing a beneficial interest, 6 as landlord in receipt of a profit rent liable to deductions for poor-rates, 12 as landlord being the "immediate lessor" of premises rated at £4 or under, and 6 as being in receipt of tithe rent charge; whether it is the case that notwithstanding this returning officers do not as a rule allow a ratepayer so many votes; whether it is the case that some returning officers refuse to allow 6 votes in respect of tithe rent charge to a ratepayer who also claims 6 votes in respect of profit rent, and that others refuse to allow more than 6 votes to a ratepayer claiming as "immediate lessor;" whether he is aware that it is also contended that the true construction of the Acts is that a ratepayer cannot have more than 18 votes altogether; whether any uniform practice exists in Irish Unions as to the maximum number of votes which a properly qualified ratepayer may have; and, if so, what such practice is and what the view of the Local Government Board on the subject is; whether he thinks it is desirable that any single ratepayer should have so many as 36 or even 30 votes in a division or ward; and, whether the Government intend doing anything in their promised measure dealing with the Poor Laws to reduce the maximum number of property votes which a landlord ratepayer may have, or to remove the doubt and ambiguity which the existing state of the law gives rise to?

Mr. TREVELYAN, in reply, said, the law relating to this matter was not involved in doubt and confusion, as the hon. Member alleged. It had been decided that a ratepayer might not, under any circumstances, give more than 18 votes in any one electoral division or ward. The Local Government Board believed that the Returning Officers generally understood the law as it was laid down, and they were always informed of the true construction of it whenever they required instruction. The Local Government Board were entirely opposed to the idea of a single ratepayer having 36 votes in one division, and he should be glad to answer any special case which the hon. Member might point out. This was but the substance of a more detailed answer, which he would communicate to the hon. Member by letter.

### POOR LAW (IRELAND)—ELECTION OF GUARDIANS FOR THE CORK UNION.

MR. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he will reconsider his determination to leave the law as regards a solicitor's right of audience before a Poor Law returning officer in its present unsatisfactory condition; whether in the case in which the returning officer at the recent election of guardians for the Cork Union refused to hear the solicitor for one of the candidates, it is the fact that such refusal was announced immediately on its being intimated that the candidate in question wished to appear by solicitor, and before the solicitor had any opportunity of even stating what questions of law he considered were involved; whether he is aware that as a matter of fact two serious questions of law arose out of the election in question, and that in consequence of the action of the returning officer these questions had to be submitted direct to the Local Government Board, who are at present making inquiries with reference to them; whether, seeing that the solicitor in question alleges that the returning officer refused to hear him on any question whatsoever, the returning officer can explain his statement that the solicitor tried to enter into questions of law which were not involved in the dispute at all, and will state what such questions were, as the solicitor alleges that this statement is absolutely false; whether, seeing that where questions of law are even admittedly involved, Poor Law returning officers have the exceptional power of refusing to hear legal questions argued by lawyers, he will consider the desirability of the law on this point being left in its present condition; and, whether it is the case that the Local Government Board have the power under the existing law, by a simple amendment of their election order, to direct that returning officers should allow candidates to be represented by legal practitioners when any legal questions are to be discussed?

MR. TREVELYAN, in reply, said, he would prefer to reply to this Question in an official letter, and was sure the hon. Member would not object to that course?

### ARMY (AUXILIARY FORCES)—ALDERSHOT.

MR. TATTON EGERTON asked the Secretary of State for War, Whether he can give any information as to the date on which the Volunteer Regiments will be asked to form Provisional Battalions for training at Aldershot during the last week of the manœuvres; and, if no date is fixed, if he will take it into consideration at once, in order to give an opportunity to men anxious to go to arrange their leave with employers about the 1st of May?

THE MARQUESS OF HARTINGTON: There will not be manœuvres this year at Aldershot; but certain Volunteer Corps have been invited to join the camp for instruction with the Regular troops from the 11th to the 25th of August. The letters of invitation were sent out yesterday.

### PREVENTION OF CRIME (IRELAND) ACT, 1882—SECTION 14—SEIZURE OF DOCUMENTS.

MR. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that none of the papers and documents, the property of Captain F. Sandys Dugmore, of Brougham Castle, Frankford, King's County, seized and taken away by the police last August, have yet been restored to him; and, if not, if he would explain the reason, and when they will be restored?

MR. TREVELYAN: Two Land League proclamations and a few copies of an inflammatory notice regarding an individual, which were seized at Captain Dugmore's residence in August last, are still retained by the police. There is no intention of returning them. No other documents are retained.

### PREVENTION OF CRIME (IRELAND) ACT, 1882—DEFENCE OF PRISONERS —COLLECTION OF VOLUNTARY SUBSCRIPTIONS.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that a circular was issued by Mr. Clifford Lloyd, special R.M. on the 11th instant, to the several constables in charge of Royal Irish Constabulary Stations in the county Galway, ordering them to threaten any person they might suspect of either collecting for or subscribing to the Galway Prisoners' Fair Trial Fund, that he, Mr. Lloyd, would prosecute them for so doing; and, whether all such persons have not a legal right to subscribe to or collect for any fund in aid of a fair trial? I would like to ask, in addition, whether intimidation in all its forms having practically disappeared from County Galway, the effect of the measures taken by the police is not to prevent the prisoners having a fair trial?

Mr. TREVELYAN: The hon. Member has given Notice of a Motion in consequence of a pretty outspoken answer of mine yesterday. It is not the case that any such circular has been issued; but directions on the subject have been given, the nature and grounds of which I fully explained to the House yesterday in reply to Questions put to me by the hon. Member for Galway town and the hon. Member for the county of Cavan.

Mr. PARNELL: Will the right hon. Gentleman say in what manner prisoners without means can be defended if the police are directed to prevent the collection of trial funds? From what source does he propose—in view of the fact that the Government has thought it right to stop collections by the people of the locality in aid of the defence—that the expenses of the defence shall be met, so that a fair trial may be secured?

Mr. TREVELYAN: I stated in a very full House yesterday the peculiar nature of the course which the Government have taken. It is a very exceptional method of collecting funds for the defence of prisoners. It is not at all necessary that those funds should be collected by house-to-house visits by persons whom the Government believe to be members of a secret society by which some very serious murders have been committed.

Mr. SEXTON: I would ask, whether certain observations which the right hon. Gentleman made yesterday, in view of certain crimes committed in the limited district of Loughrea, are to be understood to refer to the whole of the county of Galway?

Mr. TREVELYAN: I referred to certain requests for funds made by certain people.

### EXPLOSIVE SUBSTANCES ACT—SEC. 54.

Baron HENRY DE WORMS asked the President of the Board of Trade, How many harbours in the United Kingdom have bye laws regulating the loading and unloading of explosives?

Mr. CHAMBERLAIN: Up to the 31st of March 207 harbours have adopted bye-laws under the 34th section of the Explosive Substances Act.

### ARMY (AUXILIARY FORCES)—MEDALS FOR VOLUNTEERS.

Mr. GEORGE RUSSELL asked the Secretary of State for War, Whether he will consider the advisability of issuing a bronze medal to every Volunteer of twenty-one years' service, with a clasp for every additional year which he has served up to this time?

The Marquess of HARTINGTON: A Question almost similar to this one was put to my right hon. Friend the Chancellor of the Exchequer (Mr. Childers) on the 10th of June, 1881. He replied to the effect that, as Volunteers were already allowed to wear a star for every five years of efficient service, it was unnecessary and inexpedient to issue a medal or badge for long service. I do not see any reason to differ from the opinion expressed by my Predecessor; and I am inclined to think that the issue of medals should be restricted to war services, long and meritorious Army service, and saving life.

### NAVY—GREENWICH HOSPITAL PENSIONS.

Sir HENRY FLETCHER asked the Civil Lord of the Admiralty, When it is the intention of their Lordships to bestow upon Officers of the Royal Marines a fairer proportion of pensions, from the funds of Greenwich Hospital, than they enjoy at present; and, if they intend to bestow any pensions of £150 a year to General Officers of the corps, such as are held by ten Flag Officers in the Royal Navy?

Sir THOMAS BRASSEY: Pensions to officers of the Royal Navy and Royal Marines are payable either from Naval funds or from the funds of Greenwich Hospital. The claims of officers to Greenwich pensions must, therefore, be measured with reference to the pensions from Naval funds. The General Officers of Royal Marines, to whom the Question more particularly refers, are 30 in number. They have no Greenwich pensions; but they have six Naval good service pensions of £200 a-year. Flag Officers of the Navy have 10 Naval good service pensions of £300 a-year, and 10 Greenwich pensions of £150. For these pensions 287 officers are eligible. It will be obvious that the General Officers of Marines have a considerable advantage as compared with Flag Officers.

## WESTERN ISLANDS OF THE PACIFIC—THE AUSTRALIAN COLONIES—ANNEXATION OF NEW GUINEA BY QUEENSLAND.

Sir GEORGE CAMPBELL asked the First Lord of the Treasury, with reference to recent occurrences in New Guinea, Whether Her Majesty's Government consider that the concession of responsible government to a Colony still enjoying the protection of the British power and the British fleet, enables the Colonial authorities not only to govern their own Colony but also to invade and annex other countries, in the name of Her Majesty, without the sanction of the British Government, and even to cross the seas for the purpose? The hon. Member said, he wished to explain—the Question having been somewhat abridged—that he referred not only to recent occurrences in New Guinea, but also to some recent occurrence in this country which had been reported in *The Times*. There was the report of an answer given in that House yesterday in reference to New Guinea, in which the Under Secretary of State stated that, in the absence of any further information, the Government did not contemplate the repudiation of the annexation or the recall of the Governor. Secondly, there was a report in other papers, and in *The Times* also, and it had remained uncontradicted for two days. It was the report of speech by the Under Secretary at a meeting at Northampton, in which, defending the Colonial policy of the Government, and referring to the annexation of New Guinea, he anticipated that proof would be forthcoming that that had been undertaken in self-defence—a vastly different thing from annexation or aggrandizement such as that in the case of Cyprus. As these statements had, no doubt, been telegraphed all over Australia by this time, he wished to ask the Question he had placed on the Paper—Whether the Government recognized the *primâ facie* power on the part of the Colonies to do these things subject to the approval of the Imperial Government?

Mr. GLADSTONE: I suppose my hon. Friend does not give me credit for omniscience, and unless he did give me that credit, and gave it justly, he could hardly expect that I should answer him with respect to statements of which I have heard and know absolutely nothing.

Sir GEORGE CAMPBELL: Perhaps I may explain. ["Order!"]

Mr. GLADSTONE: I will answer the Question as it appears on the Paper, and my answer is this. As we are imperfectly informed, as has been already stated in this House by my hon. Friend, it appears to me that it would be premature on our part to take any step, or to give any opinion of the transaction, until we are acquainted with its nature, especially when we know that a despatch explaining it is on the way. But, of course, my hon. Friend must be aware that no act of annexation can possibly be of any validity unless it is an act of the Central and Imperial Parliament.

Sir GEORGE CAMPBELL gave Notice that, in consequence of the answer just given, he would add to the Notice which stood in his name with reference to the Transvaal—

> "That this House also considers that it is inconsistent with the honour and interest of the British Empire at the same time to abandon its rights and responsibilities for the protection of Native races in South Africa and to assume fresh responsibilities by the continual extension of Her Majesty's dominions in other parts of the globe."

## PARLIAMENT—LORD WOLSELEY'S ANNUITY BILL.

Colonel ALEXANDER: Sir, I desire to call your attention to the fact that, although I voted last night with the "Ayes" in favour of the grant to Lord Wolseley, my name does not appear in the Division List this morning; and I find, on examination, that the number of names does not tally with the number announced by the Tellers. I would ask you whether I can take any steps to rectify the error?

MR. SPEAKER: The hon. and gallant Member will probably have the error remedied if he will put himself into communication with the Tellers.

### PARLIAMENT — MONEY BILLS — THE HALF PAST TWELVE O'CLOCK RULE —PENSIONS TO LORD ALCESTER AND LORD WOLSELEY.

MR. LABOUCHERE expressed a hope that as the Bills conferring pensions on Lords Alcester and Wolseley were Money Bills, and therefore did not come under the Half-past 12 o'clock Rule, the Bills would be taken at a convenient hour.

MR. GLADSTONE said, that the hon. Member was right, and some Amendments had been put down for the Committee stage, which he hoped to avoid taking at a late hour.

## *ORDER OF THE DAY.*

### SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

### CONTAGIOUS DISEASES ACTS.

#### RESOLUTION.

MR. STANSFELD, in rising to move—

> "That this House disapproves of the compulsory examination of women under the Contagious Diseases Acts,"

said: Sir, The Committee to whose Reports upon the Contagious Diseases Acts I have now to ask the attention of the House, was appointed in June, 1879, and sat three years. It was directed to inquire into these Acts—1866-9—their administration, operation and effect, with power to receive evidence which might be tendered concerning similar systems in the British Colonies or in other countries, and to report whether the Acts should be maintained, extended, amended, or repealed. Now one word as to the proceedings of that Committee, which has sat three years, and the action of the Representatives of the Government who took the initiative in presenting evidence to the Committee. They presented a great mass of evidence with regard to the statistics of disease in the Army; but I have to ask the attention of the House to this fact—that the Representatives of the Government, acting on their own discretion, elected not to put any evidence before the Committee in defence of these Acts as far as the Navy was concerned. I have already informed the House that their Instruction to the Committee was to take what evidence they chose that might be tendered to them concerning the operation of similar systems in the British Colonies and in other countries. But in the Report it will be seen that rather more than a year ago the Committee, by a majority of 6 to 5, determined to refuse all Foreign or Colonial evidence, although I had myself offered to the Committee such evidence, and although I had given to them all the assurances I could give that that evidence would be compressed within limits enabling the Committee to report during the course of that Session. Well, there were two Reports. There was, first of all, the Majority Report, and then there was what I shall venture to call the Minority Report. When I use the phrase "Minority Report," I take a certain liberty. It is not exactly a correct statement of the case. The Minority Report was a Report for which I am primarily responsible. It was drawn up by myself, and could not, of course, be voted on paragraph by paragraph; but I am quite sure that neither of the Members of the Committee who formed the minority and who opposed the majority will contradict me when I say that that Report carried with it the opinions and convictions, largely speaking, of the whole of the minority of that Committee. But, Sir, the Majority Report, though nominally it was passed clause by clause, really received no more discussion than the Minority Report. It consisted of 80 paragraphs, and they were passed in one short sitting; the minority dividing the Committee 70 times against those 80 paragraphs, against every paragraph that had any meaning. I believe I am correct in saying that the Members all voted in accordance with their previously recorded opinions and the votes that they had given; there was no Member of that Committee convinced by the evidence on one side or the other. Those who came on the Committee—I will not say pledged, except so far as their previous expressions of opinion had pledged them, but known and marked as supporters of the Acts—remained to support the Acts and to carry the Majority Report of 80 paragraphs in one short sitting without discussion; and not only without discussion, but when that Report was presented to the Committee, the marginal references to the evidence were not upon the Draft Report. It was taken upon faith by a majority prepared and determined to support this legislation, without looking too closely to the evidence which they had been receiving, or had been supposed to be receiving, for three years. I repeat that statement. The Chairman's Draft Report was submitted without marginal reference to the evidence, and was voted *en bloc* by Members who did not take the time necessary to read and understand the paragraphs. ["Oh, oh!"] That may seem ridiculous; but the hon. Member must know that it is so.

Mr. TOTTENHAM: I beg to say that, as a Member of the Committee, I took the trouble to read the Report, and this is not a proper charge to be made, without grounds or foundation, against the Members who signed the Majority Report.

Mr. STANSFELD: I did not say what I said without deliberation. ["Oh!"] What I said and maintain is this—that this Report of 80 paragraphs, founded upon an inquiry of upwards of three years, was passed within one short sitting upon 70 divisions, and without any marginal references on the Draft Report, and the hon. Member cannot deny the accuracy of that statement. Now this is no ordinary case. Under ordinary circumstances you have an inquiry, you hear evidence, and you arrive at general conclusions upon the evidence by large, or, at any rate, clear majorities, and you have differences in detail. But that is not the case here. There are no general conclusions upon the evidence in this case in which both sides of the Committee, so to speak, are agreed. You have an absolute divergence of opinion on principle and in detail. On the one hand, you have an absolute approval of this legislation; on the other hand, you have an absolute disapproval—and those facts are recorded in 70 divisions, in which the majority and the minority are identically composed in each individual case. The right hon. Member over there has expressed, perhaps, not an unnatural impatience that I have objected to what I call passing a Majority Report in a hasty manner.

Mr. CAVENDISH BENTINCK: Now, Sir, I beg my right hon. Friend's pardon. My objection was not to that; but I understood the right hon. Gentleman to say that the majority had come to that conclusion without due consideration of the evidence.

Mr. STANSFELD: That is precisely what I stated, and the grounds for my saying so are these—that the Chairman presented his Draft Report consisting of 80 paragraphs; that we were told that there was not time to put marginal references to the evidence; and that the majority, in one short sitting, passed those 80 paragraphs, in spite of 70 hostile divisions, without calling for the references to the evidence by which those 80 paragraphs were to be supported. That is my case. The right hon. Member can reject my conclusions; but I do not recall a single word that I have said. Well, now I come to a comparison of the two Reports. I have said that they are completely antagonistic. The Majority Report goes beyond everything of which we have ever heard before. It not only goes far beyond the Royal Commission of 1871 —because that Royal Commission reported against the Act of 1866, and this Majority Report reports in its favour—but it goes beyond even the official evidence adduced before this Committee in favour of the existing system. The majority propose no alteration whatsoever, either in the system of the registration of women, or their supervision by the police, or their examination in the examination-room, or their detention and their cure in hospitals. It approves of these proceedings under the existing Acts, and it recommends no alteration whatsoever. The only alterations recommended or suggested by the majority are in the sense and direction of strengthening and of extending these Acts. What they propound is the would-be apotheosis of this legislation, whose object has been defined to be the rendering of the practice of prostitution, "if not innocuous, at least less dangerous;" and the Majority Report recommends the continuation without alteration of these Acts, and practically their extension to the country at large. Well, Sir, I turn to the Minority Report; and coming to that Report, for which I am more than any other man responsible, I will, with the leave of the House, speak at somewhat greater length, and divide my subject under various heads. I will begin with hygiene. To make myself as clear as possible, and to avoid the use of objectionable terms, I must first explain the "classification" in the Army Medical Reports of diseases which are the consequences of sexual vice. They classify these diseases under two heads—namely, first, affections which may or may not be constitutional, and which they treat as the more serious class; and, second, those which are local and not constitutional in character. As to the first class, one out of every three or four is supposed to be constitutional in character; and the weight of general medical opinion, proved in evidence before the Committee, was in favour of the view that these two sub-divisions of the first class are essentially different in character; two-thirds or three-fourths being local and non-constitutional; one-third or one-fourth—the "only" serious cases—being constitutional in their character; the test of the constitutional attack being that the primary affection is followed by secondary symptoms without fresh infection. Having made this explanation, I shall be able, I believe, to make myself clearly understood in what I have to say without having resort to technical phraseology of an objectionable character. With regard to the admissions to hospital and the average of constantly sick from primary affections, we of the minority say (p. lxxvi, par. 18)—

> "That a reduction of non-constitutional primary affections has been effected in the stations under the Acts; but that such reduction, although greater than the contemporaneous decrease in the unprotected stations collectively, has not exceeded the average rate of decrease effected in the same now subjected stations before the application of the Acts thereto."

I will endeavour to explain the meaning of this proposition to the House. I will give the figures first of all. In the subjected districts in 1867, the year after the introduction of the first of the existing Acts, you have a proportion of admissions for those which are called primary affections of 91 per 1,000 men. By the year 1877 that figure of 91 was reduced to 35; and that is a large reduction, and it is a reduction which has affected the imagination of men like the hon. Member whose voice I recognize on the other side. In the unsubjected stations, in 1867, we begin with the number of 101 per 1,000, and we go down to 68 per 1,000, instead of 35; and, therefore, it is perfectly true—and we recognize and admit it in the Minority Report—that with regard to the so-called primary affections you have a greater proportionate reduction between the years 1867 and 1877 in the subjected than in the unsubjected districts. I leave out the year 1878—I ought to explain why—because we all united in the conclusion that the figures of 1878 were disturbed by the calling out of the Reserves, and that that year had, therefore, better be left out of our calculations. I now go back to the years before the Acts, and what I find is this. In the subjected districts, in 1860, the admissions were 146 per 1,000; in 1867, before the Acts came into operation, they were reduced to 91 per 1,000. In the unsubjected districts, in 1860, the admissions were 132 per 1,000 (that is a smaller number than in the subjected districts); and in 1867 they had got down to 101 (a larger number than in the subjected districts). Well, now, what I want hon. Members to understand, if they will kindly endeavour to follow me, is this. Those figures, at the first blush, impose upon many minds. You begin some years before the Acts with the higher figure in the subjected districts than in the free districts, and you come down in the first 10 years to lower figures in those districts than in the districts which are free; and the *primâ facie* impression is, unless people look closely into it, that this reduction is a part and parcel of the consequences of the Acts. But if you will look a little more closely into those figures you will find that this is entirely absurd, and that the deductions which should be drawn are entirely different. There are two deductions which I draw. The first is, that in the subjected, or so-called protected, districts you have as great a reduction before the Acts as afterwards. I ask hon. Members to go back with me to the figures. In the subjected districts, between 1860 and 1867, the figures dropped from 146 to 91, and in the next 10 years they dropped from 90 to 35. It is evident upon these figures that within a fraction the reduction of disease in the subjected or protected districts was as much before the Acts as it was afterwards. The second conclusion that I draw from these figures is this, that here is precisely the same amount of variation between the subjected and the free districts before and after the Acts, the Acts practically making no difference in the differentiation of those figures. I have shown that in the subjected districts you have a rapid fall, due, as I say, to other causes than the Acts, because existing before them; while in the free stations you begin with a lower ratio and end with a higher ratio; and these figures attract the unthoughtful eye; but these conditions obtained both before and after the Acts in the free stations. These figures, therefore, prove the entirely different character of the two groups of stations, subjected and unsubjected, which are, as we say, unfairly compared. They show that before and after the Acts the same conditions and the same rate of progress or of diminution of disease applies both to the one and to the other. Then I come to the question of the saving of efficiency. The House will remember that the main object of these Acts was to promote efficiency in the Army and Navy; and there was, I may say—and I do not think any one will doubt it—a very exaggerated notion of the amount of saving of efficiency which might be effected by legislation of this kind in 16 years. To come to the evidence put before us, we had first a Table submitted by Sir William Muir, who was then at the head of the Army Medical Department, and we say his conclusions are not verified by his Table. His Table extends from 1870 to 1878, and he shows in that Table of the inefficiency of the Army—which means the number in hospital instead of on parade—that the initial ratios in 1870 were as 1 to 2·18, comparing the subjected with 14 selected unsubjected stations; and in 1878 they were as 1 to 2·30, a scarcely appreciable gain. Here, again, we have precisely the same case of figures liable to attract the popular eye and deceive the mind of the superficial inquirer. You have here, at the beginning and end of the series, an advantage in point of efficiency in favour of the subjected stations, and hon. Gentlemen not unnaturally jump to the conclusion that it is the result of the Acts. But it is not owing to anything of the kind. The true comparison in this case is not between the ratio of inefficiency in these two groups of stations in any one year, but between the ratio of efficiency in these two groups; first of all, at the beginning of the series of years when you bring to bear a certain legislation; and, secondly, at the end of the series, when you test the result. Part of my case is the essentially different character of the two groups. The figures show that in 1870, when the Acts were first brought to bear on those districts, so essentially different was their character that in the subjected districts you had an inefficiency represented by 1, and in the other stations you had an inefficiency represented by 2·18; whereas at the end of nine years' experience you had increased that inefficiency of 2·18 to 2·30. Now, that is a difference which hon. Members, at all familiar with calculations of this kind, will see to be a very minute and very unimportant difference. These are Sir William Muir's figures. But the majority made a calculation of their own. It was not submitted to the test of cross-examination, because no official witnesses propounded the theory which the majority have propounded in their Report, and, therefore, it was not discussed; but upon a method of calculation, which we of the minority entirely dispute and deny, the majority had arrived at this conclusion, that, taking all classes of disease together, the total saving of efficiency for the Army amounts to this—to 5·38 per 1,000 in the protected districts. Now, assuming that in the protected districts there were 50,000 men—until lately there were 50,000, but now there are only 38,000—under the supposed protection of these Acts, that proportion will amount to a saving of 269 out of 50,000. What I will ask the House is this—taking broadly and largely the figures of the Report of the majority, whether a maximum saving of efficiency of less than 5½ men per 1,000 is a justification of these Acts? I would ask them, I would ask even the supporters of these Acts, speaking honourably between man and man, whether these are figures which correspond to the expectations held out and entertained when these Acts were introduced? And I would further ask all men interested in this as a sanitary question, and especially medical men, whether such figures as these show the slightest approximation to the realization of the original idea of the stamping out, or at least the very great reduction, of these diseases? Well, Sir, I pass on. I must apologize to the House. I am quite conscious that I have wearied the House already, and I must do so still more. It has been a long inquiry, and the burden has fallen chiefly upon me, and I am bound to go into these hygienic and statistical details, and they are no more agreeable to me than to other Members. With regard to the secondary affections, which are constitutional and which are the test and measure of the amount and proportion of primary constitutional affections, because there is no constitutional primary affection which is not followed by a secondary attack, what do I find? First, that until this Committee sat, the Army Medical Department never gave those figures at all as between the different groups of stations. In the Annual Report of the Army Medical Department, what they said was this—

> "We decline to compare individual stations protected with free stations with reference to these secondary cases, because we do not know where the primary affections arose:"

and that seems to me to be a very sound and very honest process of reasoning. But they did give figures for the whole Army partly in the Annual Reports and partly in evidence before the Committee. Later on, further Returns were put in by the officials which were to support these Acts, and there is a marked and a most remarkable difference—and not the only difference in the official statistics submitted to this Committee—between these later Returns and the evidence of the Army medical officials and the former Reports of the Army Medical Department. According to the former figures, given in evidence by Sir William Muir, the proportion of admissions to hospital per 1,000 of these secondary attacks in 1866—the year of the first existing Contagious Diseases Act—was 24·77; and in the year 1878, the last year submitted to the Committee, the proportion was 26·64—a positive increase throughout the whole Army, at the end of 12 years of these Contagious Diseases Acts, of the only constitutional disease which is the consequence of sexual vice. But, then, these later Returns were put before the Committee, and they, to a certain extent, gave a different complexion to the matter. According to these Returns, the figure in 1866, instead of 24·77 per 1,000, ought to have been 27·66; and the figure in 1878, instead of 26·64, ought to have been 26·61. These later figures, if correct, would have converted the rise in the amount of constitutional disease throughout the whole Army into a very slight fall. Well, Sir, I have no difficulty whatever in explaining to the House this difference, because it was explained to the Committee, and there is no secret about it. Under the older system, the figures of troops who had returned from foreign stations within 12 months were excluded, on the theory that these troops would probably have incurred their primary infection at a foreign station. The later figures, produced for the first time for the use of the Committee, included those foreign troops, which might have been only a week before on foreign stations. It is, therefore, absolutely and indisputably clear that, but for the inclusion, which the Army Medical Department year after year had previously repudiated as unsound, of troops coming back within 12 months from foreign stations, the whole result of these Acts during a period of 12 years is a distinct, though I do not say a large, increase in the only constitutional disease for which the House or the public cares, or which could be any argument in any case for legislation of this kind. But certain further figures were produced for the purposes of this inquiry. Sir William Muir, the late head of the Army Medical Department, did not satisfy the enthusiasts who conducted this inquiry in the interests of these Acts upon this Committee, and they called into court, ex-Surgeon Major Lawson, a very hard-headed man, a man of considerable ability and with views of his own, and they rested their conclusions mainly upon the evidence of ex-Surgeon Major Lawson. What are his figures with regard to this constitutional disease? They are contained in a Table called 6 B, which is to be found in the Appendix No. 3, in the Report of the year 1881. And what he said is this. He took a period of six years from 1867, the beginning of the Acts, to 1872, and said that the average in the subjected districts of these constitutional cases of admissions to hospital is 24·6 per 1,000. He then takes the six years from 1873 to 1878, and he says the average is 22 per 1,000. Then he takes the free stations, and he says that in the former period the average was 29·2 per 1,000, and in the latter the average is 30·2 per 1,000. Now, I ask again the attention of the House to the light which these figures throw on the dissimilar and incomparable character of the two sets of stations. These figures are founded upon that Return which I have said was unsound, because it included in the comparison soldiers home from foreign stations within the year. But now, take these figures as they are, I appeal to the common sense of the House if, when we entered upon this scheme of legislation, we had not some kind of notion that we were going to produce greater results? I do not believe that there is any individual Member on either side of the House who will not say that nothing but great and undeniable results can justify legislation of this sort. Supposing these figures to be accurate—I do not say they are—but taking them as absolutely accurate on the evidence of an expert, I ask confidently whether these figures suggest the idea to the mind of any hon. Member present of anything approaching the stamping out, or even a large reduction of, constitutional disease? These figures show another thing. They show a great increase of the proportion of constitutional to non-constitutional disease, and indicate that the operation of the Acts has been to reduce superficially the non-constitutional primary affections, and not to reduce constitutional affections; and the figures I am going to quote will, I think, prove my proposition. According to that very Table of Surgeon Major Lawson, taking the subjected districts from 1867 to 1872, you will find that secondary cases were 37 per cent of the total of primary cases; whereas in the six years—1873 to 1878—you will find that these secondary cases mounted from 37 to 56 per cent of the primary cases. In the free stations they are in the former period 31 per cent, and rise to 42 in the latter. Now I ask the House—I ask every Member of the House who has followed me through these dreary figures —whether I have not conclusively proved that the operation of the Acts is upon primary non-constitutional affections; because where the Acts operate the proportion of constitutional to non-constitutional cases has risen from 37 to 56 per cent, and where the Acts do not operate that proportion has risen only from 31 to 42 per cent? Surgeon Major Lawson's evidence was precisely to the same effect. He said, in his evidence, that in the subjected stations there was a greater proportionate danger of incurring risk of constitutional affection than in the free stations; and that in these stations there is a greater proportion of constitutional disease amongst the women who are protected by the law and the Government than in those stations where they are free. Our contention upon these figures is this. We say it is proved in evidence that the result of the operation of the Acts is a greater proportion of constitutional to non-constitutional cases; a very doubtful positive decrease in the amount of constitutional disease; and taking all the figures, which we are not prepared to admit, of the advocates of the Acts, the diminution of constitutional disease amounted at most to ·15 per 1,000, or 7½ out of 50,000 men. (Minority Rep. p. lxv.) I will now turn to the second class of affections in the Army Medical Reports, which I call the exclusively local, non-constitutional, and less serious affections; and here my task is very light. The Army Medical Report of 1872 says that—

> "The average ratio of admissions for the eight years from 1865 to 1872 was higher at the protected than at the" 14 selected and "unprotected stations."

Surgeon Major Lawson's Returns, including all the stations, show practically no difference; and I maintain that these Acts have produced no effect upon the second, and practically unimportant, class of diseases consequent upon sexual vice. Well, I come lastly to the case of the women under the Acts—the prostitutes. I find that there has been a marked increase of disease under the Acts. Taking the years 1875 to 1880, I find that disease among these women in the subjected districts has increased from 127 to 176 per cent. Those figures mean that, on an average, every woman in these protected districts and upon the register was in the hospital 1¾ times in the year; and, reducing that calculation by the average duration of stay of the women in the hospital, what it means is this—that every prostitute in those protected districts has spent, on an average, 52 days per year, or one-seventh of her life, in these hospitals at the public expense. I have another word to say on the looseness of the calculations and conclusions of the Majority Report. The majority said in their Report that the Acts have had but an inadequate trial —they have had 16 years; but they add that the benefit conferred since 1866 is great, but that it is only an earnest of what the Acts may be expected to do hereafter for the health and efficiency of the Army. I have never met in the whole of the Army Medical Reports—with which I am well acquainted—such enthusiasm as in the Majority Report. Well, what about the trial which is so inadequate? The Army Medical Report for 1880 was in the hands of the authorities before the Chairman put before us his Draft Report, and it shows a very great increase in the amount of disease in the year 1880 over the year 1879, in spite of the 16 years of these Acts, and a far greater increase of disease in the protected than in the unprotected stations; for though in the unprotected stations there was an increase of 45 per cent, in the protected stations, comparing 1880 with 1879, the increase was no less than 57 per cent. So much for the calculations and inferences drawn from these figures. I have only one more thing to say on the question of hygiene. I have endeavoured to show how slight, how doubtful, are the conclusions which can statistically be deduced from the operation of these Acts. If I have not exhausted the patience of the House, I wish further to suggest to their minds some general considerations tending to invalidate all such conclusions, whatever the figures. But, before I pass to those general conclusions, I will deal with another branch of the subject. I pass now, Mr. Speaker, to what are called the moral influences of the Acts—not a very well-known factor when these Acts were founded, and about which people did not trouble their heads. But when these Acts were attacked they began to discover moral influences with a wonderful instinct, and they went through whole lists of them in the Committee, and the majority in their Report enumerated, with the greatest *naïveté,* all the moral consequences which any supporter of these Acts has ever claimed for them, and they endorsed them; and I am now about to enumerate them and to expose the imposture of these pretences, these afterthoughts, that have imposed on the majority of this Committee. The first proposition is that the Acts have diminished prostitution. Well, they have diminished the number of registered prostitutes. No one, with any familiarity with this question, could have expected anything else. It is a common experience abroad, where they have been for centuries, that the inevitable result is to diminish the number of registered prostitutes, because registration and examination are against nature. Abroad there is no pretence upon the subject. The experts tell you that they regret the small number of registered prostitutes—they do not pretend that they have diminished prostitution—they regret that they have not registered all the prostitutes that there are. I will address an argument to the House which I think will not be easily answered—an economical argument—the argument of demand and supply. My proposition, and that of the minority, is that the prostitution of women is the supply to the demand of the sensual appetites and vices of men; and I say that this is as absolutely true as any economical truth; and that if you stimulate and increase the demand, the supply will be forthcoming. I say further—and this is the dominant consideration in dealing with this question—that the only possible method, to our minds, of diminishing that supply, is to diminish the demand to which it inevitably responds. But I and the minority undertake to go further, and to tell you how it is that you increase the demand, and how it is that the supply is made to meet that demand. You stimulate the demand; you offer a Government sanction to this sexual vice. You say by Act of Parliament, by an administrative organization and measures, that these natural appetites, as you call them—these vicious and contemptible appetites, as I call them—have to be provided for by the Laws and the Government of a Christian country; and you deprave especially the young, and thereby increase the disease against which you pretend to be so anxious to provide, and you demoralize the population at large. You do more; you not only sanction vice, you say that it is inevitable; but you do not stop there. You say—"We are a paternal Legislature and a paternal Government, and we will provide for you clean women to satisfy your lusts." Shame upon the Christian Legislature and Government which could so deprave and degrade the legislation and the Government of this country. You stimulate by this sanction, by this guarantee, false and illusory though it is, this temptation of the Devil. You deprave, above all, the youth of the country, the adolescence of the country; and you do the very worst thing in your blind ignorance which it would be possible for you to do, if you thought only of health and nothing of morals, because there is nothing so fatal to the health of the community as infamously to stimulate the sexual propensities of early youth. As to the supply which this iniquitous legislation stimulates—it operates in this way. First of all, you have an increase of clandestine prostitution. We had evidence before the Committee, evidence of official witnesses, to say that the effect of the operation of the Acts was almost the extinction of clandestine and of juvenile prostitution. Imposture! The universal experience of Europe is against you, and there was plenty of evidence before the Committee to the same effect. The favourite witness of the right hon. and learned Gentleman who cheered so, was Mr. Anniss, the well-known Contagious Diseases Acts' policeman at Devonport, and he maintained that he had himself extinguished clandestine prostitution there. I called the local Superintendents of Devonport, of Plymouth, of Stonehouse, and they denied every general and every particular statement which Mr. Anniss made. What you want is to prevent disease; but by this wretched contrivance you stimulate clandestine prostitution, and this is calculated to beget disease. Human nature revolts against your system of registration and examination. The clandestine prostitute is determined not to be caught; a large proportion of men do not want the mere instrument which you have created, supplied, and guaranteed. The clandestine prostitute is obliged, if she is diseased, to conceal the fact of her disease. She dare not be treated, for fear of being detained, examined, and committed to hospital. And so the very contrivance which you have concocted, with the object of preventing disease, turns back upon you and defeats your purpose, and you increase clandestine prostitution under conditions which induces prostitutes not to avail themselves of medical help. Well then, Sir, there is another way by which you defeat your own object. You have held out a guarantee—I say an illusory one—but you held out the guarantee of supposed immunity from physical evil consequences of sexual vice. What is the result? It is an enormous increase in the *clientele* of your registered prostitutes. Now, I ask the House to follow me here. I come to a most serious portion of this subject, which has to be seriously understood and grappled with. You increase the *clientele* of the guaranteed prostitute class, and with what result? With this result—that the amount of disease amongst the men who consort with that class is increased by means of what is called mediate contagion. I could tell the House, without using phrases that would be objectionable, what I mean by that phrase. What you have done, I warn you. You have deserted truth, you have deserted faith, you have deserted decency and morality. You have built up not merely a wrong system—an immoral system—but an unnatural system, against which the very appetites and faculties of the bodies of men and women revolt; and the consequence is this—that you have created a pariah class, the mere instruments of the most brutal, the most disgustingly sensual appetites of men, and they become the media, without themselves being infected, of conveying contagion from man to man. Now, I tell you, I am speaking of no imaginary evil. I have given many years to the study of this question, and it is a bitter study, and nothing has so deeply impressed and horrified me as this conclusion, and I dare the Medical Faculty to contradict what I say—that the result of this system has been enormously to increase the produce of that which is called mediate contagion in the spread of disease which is the consequence of sexual vice. Then I come to the next claim, as to the moral influences of the Acts. They were said to have suppressed juvenile prostitution. There, again, the witness is Mr. Anniss, and there, again, we have the evidence against him of the heads of the local police of Devonport, Stonehouse, and Plymouth. Not only that, but we have a certain Return—the Annual Police Returns. I do not know Returns which are so misleading as these. According to Captain Harris's Return, in the district of Devonport, between 1870 and 1881, there were only seven girl prostitutes registered under the age of 17. That is the total according to the Official Return placed upon the Table of this House, year by year, by the Home Secretary. I deliberately say that that is false. I am going to justify that statement to my own mind, and I would not make it unless I believed it to be correct. The London Rescue Society has put in evidence that, during that period, they themselves alone had rescued from that Devonport district, not seven, but 29 girls who were prostitutes, under the age of 17, many of whom were already diseased. At Woolwich, according to Captain Harris's Return, during that period there were only four under the age of 16. But the Rescue Society during that time themselves rescued no fewer than 12 children under the age of 16, and many of them diseased. I come next to the reduction of brothels. A great deal has been made about that. Captain Harris's Return boasts of this reduction year after year. I say, on the other hand, that I know of no parallel case of imposture, I know of no Returns in the whole of my experience which are so scandalously deceiving as these Returns. The only section of these Acts bearing upon the question is the 36th section of the Act, 1866. Well, that section does not give any power to the Contagious Diseases Acts' police to shut up a brothel. Nothing of the kind. It is not one of their objects. What they want is to regulate it, to take care that it shall be so conducted that the women shall be relied upon, as fit for their trade. According to Captain Harris's Return, during the operation of the Contagious Diseases Acts, 140 public-houses and 260 beershops, all conducted as brothels, have been closed in the subjected districts; and Captain Harris, in his Return, distinctly claims that the closing of these public-houses is the consequence of the Acts. I am sorry that my right hon. and learned Friend the Home Secretary is not here, for I would challenge him to contradict me when I say I do not think it creditable that the Home Secretary should allow Returns to be placed on the Table of the House of Commons which are distinctly adapted to deceive the public. These Police Returns, year after year, have credited the Contagious Diseases Acts with the reduction of brothels, and public-houses and beershops used as brothels, as the case may be. It is absolutely without foundation. There is not a section in the Acts bearing upon the subject, except that clause of the Act of 1866, which enables them to fine, not to shut up, a public-house, but to fine the occupier of a public-house, if it is a brothel, "who harbours a diseased prostitute." But my hon. Friend the Member for Stafford called for a Return showing, during the operation of the Contagious Diseases Acts, the number of licensed houses that were brothels which had been closed by the action of those Acts. Now, Captain Harris spoke of a reduction of 140 public-houses and 260 beerhouse brothels; but that Return of my hon. Friend the Member for Stafford simply mentions two in the whole period—one of which was a public-house and the other a beershop. In the case of the public-house, the Contagious Diseases Acts' policep roceeded against the occupier for harbouring a diseased prostitute, for which he was fined, and that was the direct consequence of the Act. In the case of the beershop, it was for harbouring a deserter, and the Contagious Diseases Acts had nothing to do with it at all. Next I come to the rescue of fallen women. Well, positively, the advocates of these Acts, and the majority of this Committee, blindly following their counsel, believe that these acts aid the rescue of fallen women. There is no provision in the Acts to aid their rescue; and what we say is—and we produced abundant evidence before the Committee to justify our view—that the operation of these Acts has hardened the women, and made them more difficult to reclaim. The answer that was made was this—that it was not the Acts that hardened, but the length of time that the women are in that kind of life. We accept that, and then we tell you that the Acts increase the length of time during which women pursue this kind of life, and that they will still further increase the length of time; and the figures prove our contention beyond the possibility of dispute. Turning to the Police Returns, I find these figures—in 1866 they had 2,613 registered prostitutes, which number had diminished, in 1881, to 1,796. In spite of this diminution, between these periods —1866 and 1881—the number of prostitutes between the ages of 26 and 31 had increased from 267 to 429, and the number of prostitutes over 31 years of age had increased from 99 to no less than 386. Well, the majority venture to say, without a tittle of evidence to support it, that, but for those Acts, these women who had remained under the Acts would have died of disease. I say there is no foundation whatsoever for that statement of the majority. I challenge them to produce a tittle of evidence to that effect. I say that it is perfectly well known to everyone familiar with this subject, that in the unsubjected stations, so far from these women dying of disease, they drift back, within a very limited number of years, into more normal and moral and natural relations of life; and what you do by this system is to retain them in a life which they would otherwise leave, because you make it difficult for them to leave it. You tend to create a pariah class of prostitutes, under Government supervision, for the public use; and I have to tell this House that whatever they may think of the advantages, hygenic and otherwise, of that device, it is a heathen and not a Christian device. Well, lastly, I come to the question of public order and decency. There is no clause in these Acts giving any power whatsoever to enforce order or decency in public places in the subjected districts. Wherever order is improved, it has improved under local administration and under other Acts; and we cited Glasgow as an instance of greater order and decency, and of a greater reduction of disease than in any subjected district, without the application or the powers of these Acts at all. But by the form of the Resolution which I and my Friends have deliberately chosen, we brush aside these afterthoughts and pretences which have imposed upon the majority, these "moral influences" of the Acts, which were never dreamt of when the measures were passed. We say to you—"Keep what you can find in them which has any moral tendency, if there is anything that you can find; but, if you are to go against our Resolution, then you will have to say before the public that there is something in the compulsory examination of women, to secure that they shall be fit for the practice of the lusts of men, which conduces to morality, or else you will not be justified in upholding these Acts." I have still farther to trespass upon the House. I greatly regret it—it has been a long inquiry, and, after all, the chief burden is upon me. I have now to address to the House certain arguments or general considerations which, in my view, and in the view of the minority of this Committee, go to invalidate any conclusions whatever to be drawn from the Government statistics in this matter. We regard the whole of the statistics as scientifically bad, and I am about to present to you a few of these general considerations. Now, what should statistics be to be sound? They should not consist merely of accurate figures; they ought to consist of accurate figures grouped and displayed so as to throw a true light upon the subject under consideration. But what is the case here? In the Army medical statistics the comparison is made between two groups of stations—stations under the Acts and stations outside the Acts. First of all, the comparison is made as if the only difference between the two groups of stations was the presence of the Acts in the one case and their absence in the other, as if that was the only difference and the only alternative. I say that is a false way of putting these figures before the public. First of all, they compare groups of stations which are entirely dissimilar; they compare a camp under military rule and away from the civil population on the one hand, and a barrack full of soldiers in the midst of the dangers and temptations of large cities on the other. I say that you cannot compare those places. In the camps and large garrisons you have the soldier under strict control. If you place these houses "out of bounds," the soldier will not go there; and if you try to elevate the soldier, and keep him employed, you will help him to subdue these propensities, and save his health in a far better way than with the dirty device of this legislation. You cannot fairly compare a camp and a great city, where you have a small number of soldiers and an immense civil population? I appeal to the House as if it consisted of statisticians. I ask each

Member to consider whether right rules have been observed in placing before us the statistics of this subject? The first great distinction I find is that, in the subjected stations, there is a superabundance of hospital accommodation for women; in the free stations there is none—practically, hardly any; and there has been no attempt to supply the deficiency. Here is legislation which has existed for 16 years, outraging the moral and religious convictions of large numbers of people, and no Member of a Government has ever dreamt of saying that there shall be fair play between one group of stations and another. You have the hospital in the one case, and none in the other. What did we find at Glasgow, without any compulsion? As soon as they had the hospital with a superabundance of beds, so that no woman was ever turned away, all difficulty disappeared. The women came as soon as they were diseased, they waited until they were cured, and disease shrank in its dimensions there more than in any of the subjected districts, of which the Committee had evidence before them. In this kind of comparison, statistically speaking, you ought, at least, to make an allowance in favour of those districts where there are no such hospitals. The Army Medical Statistical Department is not responsible for providing hospitals in the one class or the other; but they are responsible for accurate and truthful statistics, and they ought to have called attention to the difference, and made an allowance. They made no such allowance. I come to another consideration invalidating these statistics. A favourite witness for the Acts was Surgeon Major Lawson. He told us that in 1868 and 1869 he went to Aldershot, which was under the Acts; and he found in certain regiments, having no difference whatsoever in their external condition, under the same law, that the disease in these regiments varied from 23 to 142 per 1,000 men. That difference could not be owing to the Acts. The Acts were common to both. Both regiments were under the protection of the Acts. They lived within the same quarter of the camp. There was no possible way of accounting for it, except by a reference to the habits and the conduct of the men themselves. What I therefore say to the House and to the Government is this—"Think a little of the habits of the men;" do not say it is of no use. I hear it stated every day, and I have heard it for years, that they will have their way, and that it must be so in the heyday of their youth. That is false, and it is of use; the law may check or stimulate this propensity, and it is not the business of Government to stimulate but to check it, and these figures of 142 and 23 show the limits within which you may operate. But the fact is that as long as you have these Acts, they divert your minds from the wholesome direction of promoting the sobriety and virtue of the soldiers, and they make that policy impracticable, because by these very Acts you stimulate their vice, and you profess to guarantee their enjoyment. Let me point out to the House that this policy is all the more unpardonable, because of late years you have adopted short service in this country; and therefore what you do is this—you take the youth of the country into your military camps; you train them in the belief that it is the duty of law and Government to provide women for their sexual indulgence; you hold out to them an illusory guarantee; and after a few years you send them back to their homes amongst the general population, almost all demoralized, many diseased, to teach there the lessons which they have learned from you. There is another distinction between these two classes of stations, more extraordinary and more unpardonable still. I had it from Sir William Muir—it came out of my examination of him—that when a regiment, or a company, or a troop, or a single soldier returning from furlough, went back to a subjected station, he or they were immediately examined, and if any man was found diseased, he was put into hospital. I asked why? and Sir William Muir said, lest he should spread disease amongst the women—lest justice should not be done to a great experiment. I said—"What is your rule when a regiment, a troop, or a soldier returns to a free station?—are they examined then?" and he said "No." I say that that is a monstrous thing, and that we are not entitled to place any faith on the statistics or calculations of men who are incapable of seeing the statistical iniquity of a difference of this description. But if I am correct in believing that the House will share my views—that the

House will think that the statistics are valueless when such differences are allowed to pass without remark, and that the Army Medical Department are not to be trusted, who do not see fair play between one class of station and another—I think the House will be yet more surprised with the view of the majority of the Committee. Their view is this—that the soldier returning into a subjected district, examined and found to be diseased, would be debited against that district; and therefore they say, on the whole, it is unfair to the subjected districts. And the majority of this Committee absolutely did not see this—that when you are asserting as the very principle of the measure that you need compulsory examination in order to prevent disease, it must be unfair to the districts where there is no compulsion not to examine the soldiers, but to examine them in those districts where you have the compulsory system. I said that the majority recommended the extension of the Acts. In this respect their Report is very extraordinary. Its concluding words are these—

> "The hygienic and other benefits conferred by the Acts in their present narrow application appear to your Committee to warrant the belief that if extended to the United Kingdom generally they would become still more effective for the diminution of venereal disease, and for other beneficial purposes."

And then they add—

> "That if practical results were alone to be considered the Acts might be extended with excellent effect."

And then the Chairman's draft went on to say that—

> "Having regard to the character rather than to the extent of opinion hostile to the Acts they cannot 'at present' recommend their extension."

The reason which the majority assigned for not recommending their extension was that—

> "The public opinion of a part of the community is unprepared for such a step."

Now this, I say, was a practical recommendation of the extension of the system to the country at large. It is true that the words "at present" were subsequently omitted without discussion. But the tactical omission of those words did not, in the least degree, alter the character of the Report of the majority; and it was, practically, a recommendation to extend the Acts to the country, "if you dare and when you dare." It is the old policy. Public opinion is to be prepared by degrees for what we call the demoralization of the public mind. I venture to tell the majority that such policy will fail; and I say that, even hygienically speaking, the system stands condemned by the result of the public inquiries that have been held concerning it. In 1864 the Legislature devised a system of the compulsory examination of women suspected of being diseased. In 1866 the Legislature came to the conclusion that this Act was ineffective, and superseded it by the present system of the compulsory periodical examination of all known prostitutes. In 1871 the Royal Commission came to the conclusion that the system of 1866, although theoretically the most effectual, was practically impossible, because it could not be universally applied; and they recommended that it be discontinued, and that the main provisions of the Act of 1864 should be re-enacted. And now, in 1882, the majority of this Committee find and say that the principles of the objections to the examinations of the Act of 1866 apply equally to those of 1864, and that a return to the measure of 1864 would deprive the system of its chief value. Both these systems, therefore, are condemned. The one of 1864 is condemned by the majority of this Committee; the one of 1866 is condemned by the Royal Commission. We, Sir, in these respects agree with both these authorities, and we say these Acts must be repealed and abandoned, and you must look elsewhere than to compulsion, which means Government sanction and Government stimulus and inducement to vice, for the hygienic consequences and benefits which you desire. Now, I have trespassed for a long time upon your attention; but I have practically done, and I have only two or three more words to say. Sir, I have been obliged to speak largely and mainly of hygiene; but I revolt against the task. I have had the weight of this question upon me now for some 10 years past. I loathe its details; I have had to steep myself in the knowledge of them to the lips. What I have done I have done for conviction and for duty's sake, and never will I abandon a duty which I have once undertaken to fulfil, nor will I cease until I have proved the hygienic failure and imposture of these Acts; but no man knows, or ever can or will know, what to me has been the suffering, the burden, and the cost. During the last few years, in consequence of this prolonged inquiry, the agitation against these Acts has been suspended. Some thought it had died out. They little know how to judge the situation. It has been revived by the Majority Report, and it will never flag again; it will, on the contrary, grow without ceasing until these demoralizing laws are torn from the Statute Book for ever. The religious world is beginning to be deeply moved upon this subject. And what they demand at this moment is this—that the Legislature shall address itself to it, but on higher than mere medical or hygienic grounds. I agree with them; but it is not for me to abandon the task which I have undertaken, and which I will never give up, of exposing the hygienic imposture of these immoral Acts. I agree with them; but I must make this reserve—that I cannot admit, and I have never admitted, the possibility of any lasting dissonance between the moral and hygienic law. The law of morals and the law of physical health are but parts of one harmonious whole—that great, that supreme providential law under which we hold our human lives; and it is my profound and absolute conviction that that which promotes morality, and that alone, can be relied on to promote the health of nations and of generations yet unborn. I appeal, Sir, to Her Majesty's Government to take these higher considerations into immediate account. I tell them, and I tell this House, that I can speak with authority, for no man is so steeped in the knowledge of this subject as I am. I tell them that these laws are condemned. It has been well said of late that—

> "There is no instance in the history of this country of an Act of Parliament which has been opposed from the moment that any persons outside the official circle became aware of its having been passed; which its own supporters admit could not have been passed if the public had known that it had been going on; which has been watched and exposed in its operations as evil, and wholly evil; whose repeal has been agitated for without ceasing for a day through its whole existence; and which yet has become permanently the law of the land."

This legislation is opposed to the deepest convictions of a large proportion of the most earnest and the most active supporters of the present Government. We are bound to be true, and we shall be true, to what we hold to be the Higher Law; and we ask the Government to remove this stumbling-block from our path. We ask them, in the interest of other questions, to promote our unity and to satisfy our consciences. For myself, I have to say that no personal, no Party political considerations, compared with this Higher Law, can ever rank as high. I beg to move the Resolution which stands in my name.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House disapproves of the compulsory examination of women under the Contagious Diseases Acts,"—(*Mr. Stansfeld,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

The JUDGE ADVOCATE GENERAL (Mr. Osborne Morgan): Mr. Speaker, the right hon. Gentleman (Mr. Stansfeld), in his eloquent and impassioned speech, has made an appeal—I may almost say, has addressed a threat—to Her Majesty's Government; and he has also brought some very grave charges against what he called "the Majority Report" of the Select Committee of this House to which this question was referred. That majority, by the way, was in the proportion of 10 to 6; and, what is more, it included every acting Member — because my hon. Friend the Member for the Montgomery Boroughs (Mr. Hanbury-Tracy) was incapacitated by illness—who was not already enrolled as a Vice President or an active member of some Association for the total repeal of these Acts, and who, therefore, did not come to this inquiry bound hand and foot to a particular view and a particular course of action. On referring to the Report itself, too, I find that its discussion occupied a whole day, and that there were no less than 14 divisions on substantial Amendments. Therefore, I think that it is hardly fair to say that the discussion of the Report was slurred over in a short time.

Now, I ought to say that I have no authority to speak for Her Majesty's Government; it is right that I should put that statement in the front of my speech. At the same time, I hope that, as an individual Member of the Committee, who probably has been the subject of more abuse and misrepresentation than falls to the lot of most men, I may be allowed to state, as temperately as I can, why I am unable to concur in the conclusions of the right hon. Gentleman. He has put the case, of course, as strongly as possible, and he has quoted, from the Evidence taken before the Committee, facts and figures to support his view. But the worst of it is that the Evidence taken before the Committee is so voluminous, extending to about 1,500 pages, and occupying in time nearly four years, and so conflicting, that I really think, judiciously handled, it might be made to prove almost anything. That was one of the great difficulties the Committee had to contend with; they had to disentangle the case from the enormous mass of irrelevant and untrustworthy evidence, if evidence it could be called, by which they were overwhelmed; they had to separate facts from assumptions, and to weigh the evidence of each particular witness, and ascertain on which side the truth lay. I do not claim that, in all respects, they succeeded in doing this—the House will determine as to that; but I do say that the Report drawn up by my hon. and learned Friend the Member for Limerick (Mr. O'Shaughnessy)—than whom no Committee ever had a more able, painstaking, or impartial Chairman—was an honest attempt to grapple with the question. Now, I have always given to the right hon. Gentleman the Member for Halifax credit for the singleness and sincerity of his views on this subject. I know that he has made great personal sacrifices in connection with it, and I respect him for it. I only wish the right hon. Gentleman, and those who act with him, could bring themselves to believe that it is just possible that men who have been most reluctantly compelled to differ from them may be actuated by motives as pure, as honest, and as conscientious as their own.

Having said so much, I come to the Resolution of the right hon. Gentleman; and I must express my regret that, on this occasion, he should have departed from the precedent of former years, and, instead of boldly moving the repeal of the Acts altogether, should have selected for his attack the most vulnerable, but, at the same time, one of the most vital points connected with their administration. I am sure that all the Members of the Committee would have been only too happy if they could have reported against compulsory examination; but we felt that it was an essential feature of the system; we felt that, if you got rid of compulsory examination, you might as well let the Acts go altogether. To prove this, I must go shortly into the history of these Acts. In 1864, in consequence of the terrible havoc wrought by these diseases among our soldiers and sailors at certain ports and stations, the Contagious Diseases Act, 1864, was passed; and it really disposes of a great deal of the right hon. Gentleman's argument to say that the particular stations included in it and the subsequent Acts were selected on account of the great prevalence of the diseases at those stations. Now, the Act of 1864 did not in terms authorize periodical compulsory examination; but it enabled a magistrate, on the sworn information of a medical man, or police constable, stating that he had good cause to believe that a prostitute was diseased, to order her examination and detention (if she proved to be so) in a hospital. It also made provision for the voluntary examination of women, and their detention in hospitals if they were found to be diseased. The Act of 1864, however, having proved, in practice, very inefficacious, was repealed by the Act of 1866, which provided for three things — registration of prostitutes at the subjected stations; compulsory periodical examinations; and the detention of diseased women in State-supported Lock Hospitals.

But the Act of 1866 contained a clause to which I wish to call the attention of the House, because the Committee considered—and I think they were supported by the evidence—that this section constituted an essential difference between the English and Continental systems, which are sometimes said to be identical. It provided, by Section 12, that no hospital should be certified under the Act, unless at the time of the granting of a certificate adequate provision was made for the moral and religious instruction of the women detained therein under the Act; and if, at any subsequent time, it appeared that, in any such hospital, adequate provision for that purpose was not made, the certificate was to be withdrawn.

Now, notwithstanding what the right hon. Gentleman has said, the Act of 1866 was followed by a most remarkable diminution of disease in the subjected districts. And here I wish to call the attention of the House to an important Memorial drawn up two years after the passing of that Act, addressed to the Duke of Marlborough, then President of the Council, by the President of the Royal College of Physicians, the President of the Royal College of Surgeons, and some other leading physicians and surgeons in London. The Memorial stated, first, that the operation of the Contagious Diseases Act of 1866 had been very effectual at those garrison towns where it had been applied, not only in diminishing the extent, but also in much alleviating the severity of the diseases against which the Act was directed; and, secondly, that from the evidence of the clergy, medical officers, and police acquainted with the operation of the Act in these districts, it was clear that the condition of the unfortunate women who were subjected to these restrictive and sanitary measures had been favourably influenced, and that a comparatively large proportion of them had been reclaimed. The Memorial also stated that sufferers by these diseases formed a large proportion of the sick population; and that, infected by contagion or by inheritance, a considerable number of innocent adults and children suffered as much as the guilty. Pausing here for a moment, I would remark that it is always assumed by the opponents of the Acts that these diseases only prey upon the guilty parties; but we all know that this is essentially a case in which the sins of the fathers are visited on the children to the third and fourth generation. Well, this Memorial, which prayed that the Acts might be extended to the civil population, is signed by Sir James Alderson, President of the Royal College of Physicians; Sir John Hilton, President of the Royal College of Surgeons; Sir George Burrows, President of the General Council of Medical Education; Sir Thomas Watson, late President of the Royal College of Physicians; Sir Henry Holland, President of the Royal Institution; Sir William Jenner, Sir William Ferguson, Sir James Paget, and other eminent physicians and surgeons. And to this Memorial was appended this still more remarkable rider—

> "We heartily approve of the objects proposed in the letter to His Grace the Duke of Marlborough, and trust the Government will give them its early consideration."

The first name attached to that rider is a name which, I am sure, will always be mentioned with respect in this House—that of Dr. Arthur Penrhyn Stanley, then the Dean of Westminster. Then follow the signatures of Dr. Thompson, Master of Trinity College, Cambridge, and Vice Chancellor of the University of Cambridge; Dr. Leighton, Warden of All Souls' College, and Vice Chancellor of the University of Oxford; Dr. Godfrey B. Lee, Warden of Winchester College; Dr. William Selwyn, Canon of Ely Cathedral, and Lady Margaret's Professor of Divinity, Cambridge; the Rev. William Rogers, Rector of Bishopsgate; the Rectors of Chatham and Dover, both subjected places, and several others. Well, as a matter of fact, the Act of 1866 was partially extended by the Act of 1869. Now, the right hon. Gentleman speaks of these Acts as having been passed surreptitiously, without the knowledge of the public; but I must remind him that he was himself one of the most distinguished and prominent Members of the very Government which passed the Act of 1869; and not only that, but for four years afterwards, he remained a Member of the Government charged with the administrative carrying out of the Acts, although he was all the time engaging in a sort of violent propaganda against them. Indeed, the Acts seem to have worked very smoothly until 1870; but about that time a perfect storm of agitation arose, chiefly fanned by ladies, who considered that they were an outrage on their sex. The result was the appointment of a Royal Commission, which consisted (amongst others) of my right hon. Friend the Vice President of the Council (Mr. Mundella), whom we are all glad to see again in the House; my hon. Friend the Member for East Worcestershire (Mr. Hastings), whose interest in these social questions is so well known; my hon. Friend the Member for Burnley (Mr. Rylands); my hon. Friend the Member for Gateshead (Mr. W. H. James); and many other distinguished persons. That Commission, no doubt, as the right hon. Gentleman has stated, recommended that the compulsory periodical examination should be discontinued; but it also recommended that every common prostitute found to be diseased, after an examination by a medical officer, upon a voluntary submission, or upon a magistrate's order, should be detained in a certified hospital until discharged by a magistrate's order, or by the authorities of such hospital, provided that such detention should in no case exceed three months (Report of Royal Commission, p. 19). In other words, they recommended a return to the system of 1864, which had been tried and had failed, and which would admittedly not satisfy the right hon. Gentleman or his followers, who demand the total repeal of the Acts.

But, as a matter of fact, though this Report was signed *pro formâ* by 23 Members, no less than 16 of those Members, on various grounds, dissented from it (*Ibid.*, p. 21, *et seq.*), so that the Report was really the Report of seven Members only. And I am not aware that any serious attempt was made to carry out their recommendations, except by a Bill introduced in 1872 by Mr. Secretary Bruce, now Lord Aberdare, which never reached a second reading. But Bills were brought in, year after year, by my hon. Friend the Member for Cambridge (Mr. W. Fowler) and the right hon. Gentleman the Member for Halifax, and, I think, by Sir Harcourt Johnstone, now Lord Derwent, not to carry out the recommendations of the Royal Commission, but for the total repeal of the Acts. At last, in 1879, in deference to the earnest appeal of the latter Gentleman, a Select Committee was appointed to consider the whole question; and I think that, at the time, it was stated to be the intention of all parties that the Committee should be a thoroughly impartial and representative body.

Now, I have been a Member of about as many Select Committees, for the length of time I have sat in the House, as any hon. Member; and I must say, from a large experience, that I do not think there ever was a Select Committee which worked so hard or took so much pains to get to the bottom of a question. I must add, too, that the evidence called by the right hon. Gentleman added greatly to its labours. For instance, I find that, in 1881, the questions put by him and the answers to those questions occupied exactly half the space taken up by all the other 16 Members put together. Nor can it be said that the opponents of the Acts were unfairly represented on that Committee, for no less than six Vice Presidents or active members of the numerous Associations for the Repeal of the Acts were Members of it; and it is a remarkable fact, too, that, as I have already stated, those six Members were the only Members who signed what is called the "Minority Report." Of course, I do not object to any hon. Gentleman enrolling himself a member of one of these Associations if he pleases; but I do say that men so pledged beforehand can hardly be said to have entered on any investigation with a free and open mind. As to myself, I was not originally a Member of the Committee. I joined it in July, 1880, in an evil day for myself; and I must say that a more distasteful task was never imposed on any human being. Not only is the subject not an agreeable one, but it is not a pleasant thing to be threatened with the undying hostility of all the good women in England, simply because you try to find out whether a particular witness is speaking the truth. However, much as I disliked the duty I had undertaken, having once undertaken it I did what I suppose every other Member of the House would have done—I did my best to discharge it; and from the day I was appointed to the day of the Report, although the deliberations of the Committee lasted for two years, and we sat sometimes three days a-week, I was never absent from the Committee for one single day. I take no credit for that; I simply mention it as a proof that, if I have gone wrong in this matter, it has not been from any desire to shirk the inquiry. In fact, my mind on this subject was like a piece of white paper when I joined the Committee. I then thought, indeed, and I still think, that the burden lay on those who seek the repeal of the Acts to show that in the localities in which they are in operation they are regarded as doing more harm than good. I do not want to know how they are regarded in Halifax and in Glasgow; I want to know what is thought of them in Devonport and Portsmouth and Chatham? We were directed to inquire as to the "operation, administration, and effect" of the Acts. The proper thing, then, as it seemed to me, was to go down to the subjected districts and see how they were administered there, and what people there thought of that administration. I may mention also, in passing, that I was very disagreeably impressed by the revolting letters and pamphlets addressed not only to ourselves, but to our wives and daughters, by some of the opponents of the Acts; and I do wish that some steps could be taken to put an end to what is really becoming an intolerable nuisance.

Well, I was saying that I was anxious to find what opinion people who lived in the subjected stations had formed of the Acts. But, to my great surprise, not half the right hon. Gentleman's witnesses had ever set foot in these districts. They spoke merely from hearsay—not of what they knew for themselves, but of what they had heard from others. No doubt, some of these witnesses had visited those districts six, seven, eight, or nine years ago; but comparatively few could give any personal testimony as to the actual working of the Acts at the present time. Thus, out of 33 witnesses called to discredit the Acts, only 12 actually resided, or had resided within recent times, within the limits of the subjected districts. One of these 12, a Mr. Lark, though he had lived in Portsmouth several months, declined to speak from his own personal knowledge (Ev. 1882, No. 5235). Then, again, three, if not four, of the remaining witnesses, when pressed in cross-examination, declared themselves strongly in favour of the Acts. Mr. Brutton, the Superintendent of the Devon County Police, who was called by the right hon. Gentleman, says (Ev. 1882, No. 769, *et seq.*)—

> "My opinion with regard to a garrison town is, that these Acts are very good for checking the spread of venereal diseases, and that they also act as a deterrent to prostitution."

He was then asked—

> "So far as your own personal opinion is concerned, you would be in favour of continuing the Acts, as I understand?"

And his answer was—"Certainly." Mr. Cosser, from Portsmouth, called by the right hon. Gentleman, was asked (*Ibid.*, No. 1044, *et seq.*)—

> "Did I understand you aright, to say that 'to that extent'—that is, the extent of exercising a deterrent influence—you think the Acts have had a beneficial operation?—Certainly. Might I go farther, and ask you, whether, in your opinion, it is desirable that the Acts should be repealed as far as Portsmouth is concerned?—I think not."

And these are the gentlemen called to discredit the Acts! Like Balaam, they were called to curse the Acts, and they blessed them altogether! There were, indeed, seven witnesses, resident in the subjected places, who did speak very strongly against the Acts. I do not wish to say anything against these gentlemen individually, except that they were all men of one type, and of one school of thought, what we should call in a Court of Law advocate witnesses. There was a City missionary, a Town missionary, a Midnight missionary, a Scripture reader, a Wesleyan Army chaplain, a clergyman from Woolwich, and a Mr. Wheeler, a member of the Society of Friends, who seems to have made it his profession to go about and collect evidence against the Acts for the last eight or ten years (*Ibid.*, No. 1546).

But now observe the witnesses who were called on behalf of the Acts. I put aside the whole of what are called the "official witnesses," and I want to call the attention of the House to the kind of men who, being familiar for many years with the localities, asserted, as their belief, that the Acts had done an incalculable amount of good there. There was Mr. Luscombe, the senior magistrate of Plymouth; the Rev. Prebendary Wilkinson, Vicar of Plymouth; the Rev. Mr. Grant, Vicar of Portsmouth; the Rev. Mr. Tuffield, minister of a very large Congregational church in Woolwich; a man well known to many of my Nonconformist Friends; Mr. Stigant, the Chairman of the Local Board of Chatham; three Roman Catholic priests from Cork; Mr. Baxendale, the manager of the Refuge for Fallen Women at Greenwich; professional men, tradesmen, and representative men, in fact, of almost every type and class, all speaking from their own personal knowledge. All these men joined in bearing testimony to the great good that had been done by the Acts. I may add that they all, to a man, agreed that if you gave up the compulsory examination, you might as well give up the Acts altogether; because, without it, you would never get the women to come into the hospitals. Under these circumstances, the Committee were, as a matter of fact, called upon to choose between the compulsory examination and the giving up of the whole system; and they reported as follows:—

> "Your Committee are of opinion that, if abandoned women could be induced by any method to submit themselves to medical supervision and care, it would be unjust and unwise to continue the system of compulsory periodical examination. But while the medical witnesses, who support the Acts and understand their administration, assert that the process is necessary, the opponents, when asked to suggest any other means by which prostitutes in subjected districts could be induced to submit themselves with regularity and promptness to the supervision and treatment necessary for their health, have failed to do so. If any such means could be devised and brought into operation, your Committee would not hesitate to recommend the abolition of compulsory periodical examination. No such means being shown to exist, they recommend its maintenance. The Royal Commission of 1870 recommended the abolition of periodical examinations, and the resumption of the main provisions of the Act of 1864. This Statute, while not insisting on periodical examination, subjected to compulsory examination prostitutes reasonably suspected of being infected with venereal disease. It appears to your Committee that the principles of the objections taken to the examination, under the Act of 1866, apply equally to the Act of 1864, and that while the course recommended by the Royal Commission would deprive the system of its chief means of detecting disease and preventing its diffusion, it would not satisfy the opponents of the system. It would be rejected as a half-measure, and would lead to renewed agitation. Your Committee, for these reasons, cannot assent to the recommendation of the Royal Commission of 1870, that the main principles of the Act of 1864 should be substituted for the periodical examinations required by the Act of 1866."—(Report of Select Committee, p. xxix.)

But the Committee do not stop here. They go further, and—

> "Recommend the institution, in some of the unsubjected districts, of female Lock Hospitals, supported by State aid and by such charitable contributions as may be obtained, to which entrance shall be voluntary. Unsubjected stations, in which venereal diseases are at present most prevalent among soldiers and sailors, should be selected for this purpose. The adoption of this course would afford an opportunity for testing the value of the opinion, so freely expressed by the opponents of the Acts, that an adequate system of voluntary treatment would be efficacious from a hygienic point of view."—(*Ibid.*, p. xxx.)

That is, they offered to try the scheme of the right hon. Gentleman side by side with the existing system; and, if it succeeded, we should be only too happy to give up compulsory examination.

*The Judge Advocate General*

But now I come to the further and wider question—namely, whether the Acts in themselves are worth maintaining. This matter has been treated, both by the right hon. Gentleman and by the Committee, as a hygienic, and also as a moral question, and I will adopt the same method. As to the former point, it has always seemed to me exceedingly difficult to understand that any measure which had for its express object the detection of disease, and the seclusion, while in a state of disease, of persons who were admittedly instrumental in disseminating it, could possibly have any other effect than that of diminishing the disease itself. It would, in my judgment, require exceedingly strong evidence to make out a case of that kind. But, though I am about to speak of the right hon. Gentleman's theory with regard to this disease, I must say that I find it exceedingly difficult to follow the thread of his argument. As I understand it, his contention is something of this kind—he says that syphilis is divided into two kinds, the false and the true. The false, he says, is not followed by constitutional symptoms; whereas true syphilis always is. But this whole theory, called the dual theory, is most emphatically contested by some of the leading medical authorities on the subject; and I am bound to say that to my mind, and in the opinion of the majority of the Committee, the balance of evidence was against the dual theory. Then, founding himself on that dual theory, the right hon. Gentleman says in effect—"You have, no doubt, shown a decrease in the false or non-constitutional symptoms; but you have shown an increase in the constitutional form of disease, commonly called secondary syphilis." Why one particular form of disease should be increased by these Acts, and another decreased, I never have been able to understand. Two things, however, are certain—first, that secondary symptoms are always preceded by primary symptoms, and in an unvarying ratio; and, secondly, that secondary symptoms can not, from the very nature of the thing, be a true test of the extent of the disease in a particular district, for the simple reason that they often only develop themselves three, six, or even twelve months after the germ of the disease was contracted; and as troops are constantly moving about, secondary syphilis, contracted in an unsubjected district, is very often charged to a subjected district, and *vice versâ.* It follows from this that the only kind of syphilis from which you can draw any safe inference is the primary.

Now, as to the right hon. Gentleman's figures. Quoting from the official Returns, he gives the admissions to hospital for primary syphilis per 1,000 of average strength in the two groups of stations—namely, protected and unprotected stations—for every year from 1860 to 1878 (Proceedings of Committee, Minority Report, p. lxii.). Taking 1860, the ratio per 1,000 in the subjected districts was 146; in the unsubjected districts, 132. In 1861, the ratios respectively were 142 and 122. It will be seen from this that, at that time, the ratios of disease were higher in the protected than in the unprotected districts — in fact, as I have already said, the districts afterwards protected were chosen by the Legislature on account of the greater prevalence of disease at those stations. In 1864, the numbers are respectively 102 per 1,000 and 101 per 1,000. In 1865, you find the ratios in the subjected districts 95, and in the unsubjected districts 99. In 1866, the numbers are 87 and 84. In 1867, they are 91 and 101; in 1868, 83 and 95; in 1869, 66 and 106; in 1870, 55 and 93. And so it goes on—a steady decrease of the proportions taking place from year to year, until in 1878 the ratio, in the subjected districts, which was 146 in 1860, is only 40, whereas in the stations never under the Acts the ratio has only fallen from 132 to 88; in fact, the ratios at the unprotected stations are more than double what they are at the protected stations. If the House will refer to p. 446 of the Evidence taken by the Committee in 1881, they will find a diagram, drawn up by Inspector General Lawson, that shows at a glance the extent of the reduction effected in each year in the protected as compared with the other districts. My hon. and learned Friend the Chairman of the Committee (Mr. O'Shaughnessy) worked the sum out very carefully, and arrived at the conclusion that, practically, these Acts saved daily one man in every three to the Army; that, whereas, if you repealed the Acts, there would be three men daily in hospital in the subjected districts, at present there were only two. Putting it another way, he said the normal number of men who ought to be constantly in hospital for these diseases is 16 per 1,000; from that you must deduct 5·38, or just one-third, as the daily saving in efficiency effected by the Acts (Report of Select Committee, p. xvi.). But then the hon. Member for Glasgow (Dr. Cameron) says that, putting the difference at not quite 5½ men per 1,000, and calculating the men in the protected districts at 50,000, you get a saving of only 269 men; and that, he says, is a very small result for the cost (£30,000) of working the Acts (Dr. Cameron's Amendment, p. xciii. of Proceedings of Committee). But I venture to point out to my hon. Friend that there are several fallacies in this argument. The first fallacy is this—a man who once goes into hospital for a venereal disease is (as he well knows) not the same man again for a long time—sometimes not for the whole of his life. It is not merely that he may have been the victim of constitutional disease, but that he has been subjected to a treatment which itself impairs his constitution. I have consulted several officers on this point, and they say—

> "It takes a man months, or even years, to eradicate the disease and the treatment from his system, and during all that time he is a very much worse man for our purposes."

Therefore, you must add this important immunity to the saving already indicated, which I need hardly say would give a very much larger gain due to the operation of the Acts. Then, there is another fallacy. The cost charged to the Army of working the Contagious Diseases Acts is not £30,000, but under £17,000 per annum. £30,000 includes the sum charged in the Navy Estimates; and, of course, if you charge the Acts with the cost of working the system for the benefit of the Navy, you ought also to credit the Acts with the saving which they bring to the Navy—a point into which the Committee did not inquire, but which the last Annual Report as to the health of the Navy will show to be considerable (See p. xvii.). Then, to that saving must be added the benefits accruing to the Civil population, including many innocent women and children, a matter too often forgotten in this controversy, but upon which some very important evidence was received by the Committee. Moreover, as the House is aware, in 1878 there was a disturbing element, to which the right hon. Gentleman has referred, in the shape of Lord Cardwell's Order, which was in operation from 1873 to 1878. Under that Order a soldier could be put under stoppages of pay if he suffered from venereal disease, and that led to much concealment and a large apparent decrease of the malady. In 1879, that Order was cancelled, so that the figures of 1880 and 1881 are really more valuable as affording evidence of the extent of disease, and they show an alarming increase of the disease, at least in the free districts. From the Army Medical Report of 1880 (p. 14), I find that the group of 14 stations under the Acts shows an increase of 27 per 1,000 men on the corresponding rate of the preceding year; while the contrasted group of 14 selected stations not under the Acts shows an increase of 59 per 1,000 men. I have got the figures here, and they are perfectly appalling. At Aldershot (a protected station) the admissions to hospital for primary syphilis in 1880 were 74 per 1,000; Heaven knows a sufficiently large number. But now let me refer to the admissions in the unprotected districts. I find that in that year in London actually 225 men per 1,000 were admitted to hospital for primary syphilis alone. In Manchester the number was 232 per 1,000. In Dublin (where there is a State-supported Lock Hospital open to voluntary patients) it was 216. In Belfast it was 273 per 1,000. I say that these figures are absolutely appalling, and they prove that this disease, so far from decreasing, is spreading, and growing at a fearful rate.

Then, here is a Return which reached hon. Members yesterday morning. It is for the year 1881. The right hon. Gentleman the Member for Halifax (Mr. Stansfeld) did not refer to it; I will do so. The group of 14 stations under the Acts showed the same ratio as in the previous year; but the selected stations not under the Acts showed an increase of 14 per 1,000 (See p. 2). In 1881, in London, 219 men per 1,000 were admitted to hospital for primary syphilis alone; in Sheffield, 279; in Manchester, 228; in Dublin (with its State-supported voluntary Lock Hospital), 259 per 1,000. I have worked out the figures carefully on the same principle, as the corresponding figures are worked out in the Report for the preceding years; and I find that the daily loss to the Service, calculated on that principle from men constantly in hospital, would be 6·53 men per 1,000 in 1880, and 7·99 per 1,000 in 1881. In other words, the daily saving to the Service becomes not, as before, one man in three, but nearly one man in two. Taking 50,000 men as the strength of the garrisons of the protected districts, you would, if these Acts were repealed, practically strike 400 men constantly in hospital off the ranks of the Army. What will be said to that? Repeal the Acts, and on any given day 400 more men would be detained in hospital, and thus struck off the strength of our "dangerously small Army" (as Lord Wolseley has called it), to say nothing of the great additional loss arising from treatment in hospital and constitutional injury. In the Evidence (App., p. 471) there is a letter from Lieutenant-Colonel Tucker, commanding the 80th Regiment, dated April, 1881, which contains this passage—

> "Since the arrival of my regiment in Dublin, there have been the enormous number of 166 admissions to hospital of men suffering from primary syphilis, and the admissions from gonorrhœa amount to 118, making a total of 284; thus, during a period of 10 months, considerably over 43 per cent of the unmarried portion of my regiment have been incapacitated from duty. I submit, for the sake of economy, if not for the benefit of the soldiers, some steps should be taken to wipe out this easily preventible but terrible scourge."

Mr. Macnamara, surgeon to the Dublin State-supported voluntary Lock Hospital, was called, and I read the contents of this letter to him, and said (Evidence, 1881, No. 6450) — "Are you surprised to hear that?" He replied—"I am not the least surprised to hear it. The same thing applies to every other regiment in the garrison. Is that borne out by your medical experience?—Yes." And recollect that in Dublin the system of State-supported Lock Hospitals, the admission to which is voluntary, has been tried under the most favourable circumstances, with what result we here see.

So much for the hygienic aspect of the question. It is, perhaps, a question for medical experts, and there are several Members who have a professional knowledge of the subject, and I hope they will be able to give us their views upon it. All

I can say is this—let anyone who wishes to obtain the opinion of a medical man ask his own doctor as to the value of these Acts. He will, if he knows anything of the subjected districts, tell you (as a great medical authority told me) that generations yet unborn will rue their repeal. I happened to speak to one of the most experienced members of the Medical Profession in London—a gentleman who is well known to many Members of this House—on the subject, and he stopped me and said—"If I were to put you in a cupboard in my consulting room, and you could see the mothers who bring me their children rotten with disease—I know perfectly well what is the matter with their children, but I dare not tell them—you would be amazed that anyone could be found who would wish to interfere in any way with the operation of Acts which have, at all events, done something to check this terrible disease."

But I am surprised that the right hon. Gentleman should have laboured this part of his case as he has done, for, as I understand the arguments of some of the opponents of the Acts, the very last thing they would desire to see is the stamping out of venereal disease. They regard it as a scourge sent by God to deter men from sin—they affirm that if you could eradicate this disease from the world men would be more prone to sin, as there would then be less to deter them from it. At any rate, Dr. Osborn and Mr. Gillett were asked the question by me, and they said that the more efficacious the Acts were in a sanitary point of view, the more objectionable they would be in a moral point of view. [Mr. STANSFELD dissented.] Here is the evidence of Dr. Osborn (No. 4,867 of the Evidence of 1882)—

> "I take it that your view would be that the more efficacious they (the Acts) were in a sanitary point of view, the more objectionable they would be in a moral point of view, and that that is for the reason that they would give rise to more sin?—Exactly."

And then he expounds his views. Then there is the evidence of Mr. Gillett (No. 5,046)—

> "Would you go so far as the last witness, and say that the more efficacious the Acts were from a sanitary point of view, the more objectionable they would be from a moral point of view?—Yes; I think they would be."

Indeed, I cannot help thinking the right hon. Gentleman himself has also taken that view, for I find that in a speech which he made on the 25th of October, 1881, and which is reported in *The Shield* of the 1st November, 1881, after a great deal of personal abuse of myself, he says—

> "I have always said, and I repeat it here, that to my mind the most damning evidence against the Acts would be the proof of their complete hygienic success." (Loud cheers.)

As I understand his position, the right hon. Gentleman holds that the Acts are an outrage on morality, and that, therefore, they are, on principle, to be condemned on that ground, whatever may be their value in a sanitary point of view. But, if that be so, I do not see what was the use of our sitting all these years to decide a foregone conclusion. It was a mere farce, I say, under such circumstances, to admit the medical evidence at all, if we were bound to shut our eyes to that evidence and repeal the Acts simply on the ground of their involving, as the right hon. Gentleman puts it, the "State regulation of vice." Why waste time in inquiring whether, from a sanitary point of view, they are efficacious, when they are so *mala in se* that, irrespective of any good effect they may produce, you are bound, on grounds of public morality, to repeal them?

Now, in dealing with this part of the question, I have endeavoured to consider, first, what is the position which the State, quite irrespectively of these Acts, does, as a matter of fact, maintain towards this great social evil; and, secondly, what is the position it ought to maintain. I hope I shall not be misunderstood. The subject is a very delicate one; but in all these cases it is better to look facts in the face—there is nothing so foolish or so mischievous as to bury your head, ostrich-like, in the sand, and ignore facts which you are unwilling to acknowledge. I have endeavoured to find out whether there exists in England any penal law against what we call vice, unaccompanied by any aggravating circumstances. Of course, a prostitute is subject to certain penal consequences if she exercise her trade in a certain way; as, for instance, if she behave in a disorderly manner or solicit passers-by; but, as far as I can find out, there is no penal law against vice *per se*. I may add that I am borne out by high authorities (See 1 *Russell on Crimes*, p. 428, 1 Hawk. P. C. 74) in saying that, by the law of

England, prostitution is not in itself a criminal offence. And, as a matter of fact, it is impossible for anyone to walk down from this House to his own residence, through St. James's Street or Piccadilly, at night, without seeing vice flaunting itself at the corner of every street unchecked and almost unreproved. Now, I maintain that, as long as you tolerate prostitution, so long you are bound to minimize, as far as you can, the frightful evils resulting from it. Or, to quote the language of the Committee's Report—

"It is not denied that the State permits prostitution to exist. The prostitute is punishable if she carries on her trade in such a manner as to outrage public decency, or violate certain laws and regulations not directed against the habit of prostitution, pure and simple, but against the habit, under certain aggravating circumstances, of disorder. Simple prostitution is at present not connived at, but openly tolerated. Women known to be engaged in it are permitted to appear in public, notoriously with a view to plying their trade, provided they abstain from solicitation and indecent and disorderly conduct. If there be any law prohibitory of prostitution, pure and simple, it is a dead letter."—(Report of Select Committee, p. xix.)

And now as to the attitude which the State ought to take on this question. All I can say is, that I asked every witness against the Acts to suggest any way in which the State could stamp out prostitution? And not one witness ventured to say it was possible. Surely, then, the Committee was right in saying—

"That, if it is admitted that the State cannot suppress the evil, it is difficult to see how those who make this admission, and thus absolve the State from the obligation of suppression, can consistently deny the State the right to take effective measures for the purpose of minimizing the injurious results of the evil. The Acts do not give prostitution more toleration than it enjoyed before their existence, or than it now enjoys, where they are not in force. It is not the Acts, but the administration of the ordinary law, that gives it toleration. All the Acts have done is to insist that the toleration permitted by the institutions of the country shall be exercised with less detriment to public health."—(*Ibid.*)

Then there is a further point to consider. If it is wrong to contribute public money for the purpose of these Acts, surely it is wrong also to give any State aid to Lock Hospitals at all. Several surgeons of voluntary Lock Hospitals told us that women constantly come to them, and say, in effect—"I want you to cure me, in order that I may go on carrying on my trade of prostitution;" and yet they cannot refuse to admit a patient asking avowedly to be admitted for such a purpose. Now, if it is wrong to devote public money to these Acts, then it is equally wrong to give it to any institution for the cure of unreclaimed prostitutes, or, as the Report of the Committee puts it—

"It is obvious that if the argument against enforced examination and cure, founded on the impunity it offers to sin, be valid, it is in principle available against any aid being given by the State for the treatment of unreclaimed prostitutes in common hospitals, as well as for the erection of separate hospitals, and not only against the grant of such aid by the State, but against its grant from the rates and from private individuals. Your Committee are of opinion that the objection to the system on the ground of the alleged encouragement or facilities given to vice involves fundamentally the opinion—which, however, the opponents of the Acts strenuously reject—that prostitutes who have no intention of leaving their calling should not be provided with the means of cure, lest their freedom from disease should encourage men to associate with them."—(*Ibid.*)

But then the right hon. Gentleman says that in practice, and as a matter of fact, the effect of these Acts is to encourage men in vicious habits, and so increase vice by "making it safe." Now, it is exceedingly difficult to say what are the motives which impel different persons to this particular vice. No doubt those motives differ according to circumstances and temperaments. But if, as their opponents say, these Acts have no hygienic value, if they tend to increase disease it cannot also be said that they make vice safe. You cannot blow hot and cold, and say in one and the same breath that they increase disease, and yet that they hold out to men the prospect of increased immunity from disease. That is impossible; the two propositions will not stand together.

Another objection often raised against them is this—it is said that they operate unfairly, inasmuch as they are applied to women and not to men. I confess I do not understand the argument. The Acts are directed not against women, but against prostitutes—that is to say, against a class which, as a matter of trade and profit, carries on an occupation which admittedly tends to propagate disease. Where is the analogous class among men? Would you examine all men? You might almost as well propose to examine all women! If you could show that in a single case a virtuous woman, or even a *quasi*-virtuous woman, has been molested under these Acts, then the case would bear a very different aspect; and I told the right hon. Gentleman (Mr. Stansfeld), when I first joined the Committee, that if he could produce one authentic case of any respectable woman who had been molested under the Acts, or brought before a magistrate, it would go far towards converting me to his views. But there was not one case of this character brought before us which a lawyer would for a moment admit to be proved. Mr. Wheeler, indeed, in a leaflet published by him, and afterwards before the Committee, said there were hundreds of cases in which "terrified," and, I presume, innocent girls had to submit to examination; but, when pressed, he could only name one case — that of Caroline Wybrow (Evidence, 1882, No. 1810, *et seq.*), which occurred eight or nine years ago; and, from what I have lately heard of the subsequent career of that girl, I am not disposed to place much reliance on her story. There was, indeed, a case, known as the "Dover case," which, as it occurred recently, we determined to investigate, and we did investigate it thoroughly. We had all the parties called, and examined every witness who could throw any light upon it. I will not say what conclusion the House ought to come to; but I will say to those who have any doubts about it—"Read the evidence—(Ev. 1882, No. 6279—8235)—and judge for yourselves."

Then it is said that the Acts have encouraged clandestine prostitution. That is an easy thing to say; but, from the very nature of it, it is very difficult to prove or disprove it. My impression is that the evidence decidedly showed that clandestine prostitution had decreased. All I can say is, that most respectable and reliable gentlemen living in the subjected districts gave evidence to that effect. But one thing is certain. Whether the Acts have increased clandestine prostitution or not, they have certainly diminished open prostitution, the number of known common women in the subjected districts having, according to Captain Harris's Returns, fallen from 4,852 in 1864, to 1,796 in 1881. (Annual Report, 1881, p. xiv.) And I will tell you another thing, and I say it in the presence of the right hon. Gentleman, and defy him to contradict it — the operation of the Acts has almost killed juvenile prostitution. Sir, it has always struck me as a terrible reproach to our modern society that, while our own daughters are being scrupulously guarded from the slightest breath of impurity, the children of the working classes should be left exposed to temptations to which every day a larger number of victims succumb. For the Report of the House of Lords' Committee bears me out in the statement that—

> "Juvenile prostitution, from an almost incredibly early age, is increasing to an appalling extent in England generally, and especially in London."—(*Ibid.*, p. iv.)

So unquestionable is the evil, that a Bill is, I believe, about to be brought before the House of Lords for imposing heavier penalties for the seduction of young girls. By all means pass that measure. Our Committee has made almost similar recommendations; but I think this is a case in which prevention is better than cure, and I cannot but think that in these Acts we may be said to have found the prevention. The House will pardon me if I read an extract from the evidence taken, not before our Committee, but before the Committee of the House of Lords, which was thought important enough to be published in an Appendix by itself—

> "Having lived for some years in a garrison town (Portsmouth), where the Contagious Diseases Acts are in force, the writer cannot but add his earnest conviction of the inestimable value of these Acts, judiciously carried out, in lessening juvenile prostitution. If the Acts were quite inoperative as to reducing the amount or the virulence of disease, they would still find their justification (more especially until brothels are more easily suppressed, either by the police or other competent authority) in the beneficent results mentioned above."—(*Mr. Pares' Minute, Appendix A. to Report of House of Lords' Committee on Protection of Young Girls*, p. 51.)

And now let me show how this is brought about. I suspect but very few of us know how easy it is for a young girl to disappear in a large town. She runs away, gets into bad company, and is as much lost as if she were drowned in the ocean. The Police Reports are full of such cases. Witnesses told us that it was quite common for girls to disappear in our great towns without anyone knowing what had become of them. Now, see what, in such a case, takes place in districts where these Acts are in force.

I quote from the evidence of Mr. Grant, the Vicar of Portsmouth. He says (Ev. 1881, No. 5207)—

"I could give an instance of a servant girl being absent from home, and being afraid to return home, because she was too late, and keeping company with a soldier, and being taken to a house, and being found there the next day through the operation of these Acts, and brought back, and so saved. I have no doubt that there are many such cases."

Then I say—

"That is precisely the case which suggests itself to my mind; that, I suppose, you would attribute to the fact that under these Acts a body of police visit these brothels, and are able to trace these girls?—Within three hours they knew where to put their hands upon this poor girl, and brought her back. That is a very striking case indeed. The story is told to the police, the girl is described to them, and they almost know at once where to put their hands upon her, and, practically, save her."

Now, there are innumerable cases of the same kind spoken to from Devonport, Plymouth, Cork, and other places. The result of this surveillance, and also of the deterrent operation of the system, may be read in Captain Harris's Annual Report on these Acts, from which it appears that there has been an enormous and continuous reduction in the number of juvenile prostitutes in all the subjected districts. I have the figures here, and must be allowed to refer to them shortly. (Annual Report, 1881, p. xiv.) Take the ages of known prostitutes in the subjected districts in 1866, before the Act of that year came into operation, and their ages in 1881. In 1866, in these districts, there were two of these unfortunate creatures under 13 years, in 1881 there were none. In 1866 there were two, over 13 and under 14 years of age, against none in 1881. In 1866 there were 27, over 14 and under 15, against none in 1881. In 1866 there were 104, over 15 and under 16, against only six—too many I grant—in 1881. In 1866 there were 242, over 16 and under 17, against 11 in 1881. And so the Return goes on. Now, if those figures are not a mere fraudulent concoction, you must attach some importance to them. I think they justify the finding of the Committee on this point, which is as follows:—

"It is to be remarked that, while a constant decrease in juvenile prostitution has gone on in the subjected districts, the Committee of the House of Lords appointed to consider the subject and other kindred topics in 1881 states, in its Report, dated July 10, 1882, that 'juvenile prostitution, from an almost incredible early age, exists to an appalling extent in England generally, and especially in London.' Their Lordships attribute its prevalence mainly to certain specified causes. Every one of these causes has been proved to your Committee to be vigorously and effectively counteracted by the administration of the Contagious Diseases Acts, so that the alleged reduction of juvenile prostitution in the subjected districts is borne out by the fact that the influences stated by the Committee of the House of Lords to be its principal source are deprived of much of their strength, where the administration of the Acts is brought to bear against them.

"The causes referred to are:—

"1. The want of parental control. This is remedied by the information which the police give parents as to the dangers of their daughters, and by the authority which the police exert for the reclamation of young girls.

"2. Residence in brothels. As already shown, it has been proved to your Committee that the police exert their power with excellent effect to prevent brothel keepers from harbouring young girls.

"3. The example and encouragement given by girls slightly older. The deterrent influence of the system acts effectually against the temptation.

"4. The state of the streets 'in which little girls are allowed to run about and become accustomed to the sight of open profligacy.' Your Committee find that the Acts have much improved the condition of the streets, and repressed public disorder and indecency among fallen women, thus removing much of the bad example which was formerly to be seen in subjected districts."—(*Ibid.*, p. xxv.)

But I should like to say one word about the innumerable cases of reclamation of women of all ages brought to our notice through the operation of Clause 12 in the Act of 1866. I would refer particularly to the evidence of Miss Webb (Ev. 1882, No. 10066—10221), the Lady Superintendent of the Chatham Lock Hospital, and to a letter from a very benevolent and excellent lady, Mrs. Grant, the wife of Archdeacon Grant, until lately Archdeacon of Rochester, which will be found in the evidence of Miss Webb (*Ibid.*, No. 10119). It is as follows:—

"My dear Miss Webb, you ask me whether' as far as my own experience goes, 'I think the effects of the Contagious Diseases Acts hardening or softening.' Of the effects on the population outside I have had no means of forming an opinion; but on the inmates of the hospital, I have no hesitation in pronouncing them most beneficial, not only looking at the large number who through their means are rescued, but also observing the improved bearing and demeanour of those who yet return to their way of life. By the compulsory provisions of the Acts, a class is brought inside influence which parochial machinery cannot reach, women, who if found (which is rarely the case), are in a state of constant semi-intoxication, which makes appeal fruitless. Many such I have seen, on first entrance, bold and defiant, who, after a week or two, have become docile, willing to listen; and in some, conscience has seemed to re-awaken, so that before leaving they have requested to be sent to homes, while others, who returned to the old life, have shortly after abandoned it. Again, many are brought in who had given up all hope, felt themselves lost, and for whom, indeed, no visible means of escape existed till offered them here, and joyfully embraced. The matron of the Medway Union told me she never had trouble with girls brought here from the hospital. I have been much struck with the grateful attachment to yourself, and to the nurses, which I have found among these girls years after they had left. I may also mention the valuable and cordial co-operation I have met with from members of the police in cases which I could not have reached without their aid.

"Believe me to remain yours truly,

"JULIA GRANT."

Case after case was brought before us of girls who would not have had an opportunity of returning to a good course of life but for these Acts. The right hon. Gentleman has referred to the evidence of the Secretary of the Rescue Society, to show that the operation of the Acts is a sort of artificial feeding of juvenile vice. Now, the question I would ask is—"Is it possible that, if these Acts have had such immoral results, men like Mr. Luscombe, Mr. Wilkinson, Mr. Grant, Mr. Tuffield, and others, of all opinions and professions, all having experience of their operation, would have borne unequivocal testimony to their good effects?" That is really what converted me to the opinion of the majority —the almost unanimous opinion of the intelligent and educated population in the districts where the Acts are in operation. Indeed, it may be said that the strength of the opposition to the Acts in any given place is in exact proportion to its distance from the districts affected by them. I hope some hon. Gentlemen representing these districts will testify to that opinion. I do not want to know whether Halifax or Glasgow is in favour of them or against them—I want to know what the people of Chatham, Portsmouth, Windsor, Plymouth, and Devonport, who have seen them in operation, think of them. I should like to hear what my hon. Friend the Member for the University of London (Sir John Lubbock), who so ably represented Maidstone, has to say upon them. As far as I can learn, I believe that intelligent persons in the subjected districts are practically unanimous on the subject—it is not seriously contested in the Minority Report, and it was certainly admitted by several witnesses who were called to discredit the Acts. Let me call the attention of the House to two Memorials addressed to the Admiralty last year.* One is from the magistrates, clergy, medical practitioners, and others, in the boroughs of Plymouth and Devonport, and township of Stonehouse. It says—

> "We are decidedly of opinion that, both from a physical and moral point of view, their action has been most beneficial. We believe that although, if extended, their usefulness would soon be greatly increased and more universally recognized, they have been the means of relieving a great amount of physical suffering, while they have opened the road to reformation to many fallen women who, were it not for the existence of these Acts, would never have had the opportunity of returning to a respectable course of life. We cannot too strongly express our opinion that the repeal of these Acts would be a great misfortune to this district, and to any other community where they exist at present." —(Return to Order of the House of Commons, dated Aug. 9, 1882.)

That is signed by the Mayor, and ex-Mayor, 35 Justices of the Peace, 23 clergymen, Roman Catholic priests and Dissenting ministers, and 85 professional men, surgeons, bankers, &c. There is another Memorial—I will not read it—even stronger from Portsmouth.

But hon. Gentlemen who doubt the beneficial operation of the Acts say—"If you think them so beneficial, why do you not extend them to other districts?" Well, apart from the difficulty of finding in every place picked men fitted to carry out the delicate task imposed on the Metropolitan Police, we know what would happen if they were extended. Persons would go down to those districts where the Acts were intended to be applied, they would hold meetings, they would publish leaflets, and ladies and gentlemen ignorant of the merits would raise against them that wild and unreasoning agitation by which their introduction in places like Chatham and Plymouth was originally met, and which it has taken 16 years of actual experience of their working to allay.

And now I am happy to say I have got to the end of this most painful subject, and I thank the House very sincerely for having heard me so patiently. I only wish I had it in my power, as an honest man, to vote for the Resolution of the right hon. Gentleman. I have everything to lose and nothing to gain by the course which I have felt it my duty to take. I represent a constituency of Nonconformists, and we all know how strong their feeling is on this subject, though I am bound to say that, as far as I can ascertain, their views are based on a very partial knowledge of it. I must also say that I deeply regret being obliged to sever myself on this one occasion from many of my hon. Friends below the Gangway, with whom it is, as a general rule, my pride and my pleasure to act. But I cannot help myself. I do not say that no effectual substitute for these Acts could be devised—all I say is that no such substitute has yet been suggested, for the case of Glasgow is not *in pari materiâ*. Under these circumstances, knowing what I have learned in the course of the inquiry before the Select Committee, I should be utterly unworthy of the responsible Office I have the honour to hold if I did not raise my feeble protest against any attempt to impair the efficiency of a system which, say what you will against it—and, no doubt, much may be said—has done much, very much, to alleviate the severity and check the growth of one of the most terrible diseases by which humanity is scourged, and has also done something to mitigate, in its worst forms, one of the most baleful and, at the same time, one of the most prevalent vices of modern society.

MR. STANSFELD: I rise to explain that the right hon. and learned Gentleman has, I think, as far as I can gather from his speech, misrepresented, because he misunderstood, an expression of opinion of mine with regard to the evidence, and in a speech of my own. I cannot go back to the evidence of those witnesses; but he seems to impute to me that I would object to the cure of disease, and that the greater the success of the Acts in that direction the more I should be opposed to them. That is not my opinion. I entirely approve of the cure and prevention of disease in itself, however it may be caused. But I do not approve of this method. I prefer the Glasgow method of a voluntary hospital.

COLONEL STANLEY: Sir, I do not shrink from expressing my opinion upon this matter. The Acts, as hon. Gentlemen are aware, have been handed down from one Administration to another; and they have been administered, I believe, in the same manner and in the same spirit by Administrations, whether on the one side or on the other side of the House. But it is reserved to us to-night to hear what I cannot help thinking was a very painful commencement to the arduous task of the right hon. and learned Gentleman who has just sat down, when he felt himself obliged, in the very first sentence which he uttered, to say that he had no mandate to speak on behalf of the Government; and, although that was a sentiment that was cheered—and not unnaturally cheered—by the right hon. Gentleman the Member for Halifax and those who agree with him, yet I must say that it fell as a surprise, and to some extent—speaking apart from the merits of the question itself—as a very unpleasant surprise, to find that the doctrine of devolution was to be carried still further than it has been of late, and that Her Majesty's Government — which, as I conceive, has the duty, either to carry out the law of the country as they find it, or else to institute measures for its repeal—were content, up to the present time, to shelter themselves by treating this as an open question. When the right hon. and learned Gentleman, holding, as he does, a responsible position as a Member of the Government, having been a Member of a most important Committee, which has been sitting for the last two years, and having been connected—at all events, to some extent—with the administration of those Acts, rises and tells us that what he has to say upon the proceedings of this Committee is irrespective of the views of Her Majesty's Government, then I think that it is a positive duty imposed upon us to ask who is to speak from the Treasury Bench the mind of Her Majesty's Government; and who is going to tell us the course which the Government is going to pursue; and who is to say whether they are going to carry on the administration of the law? Let me go back for two or three years into the history of this question. The Act has been in operation for 15 or 16 years. Four years ago I felt it my duty to consider whether the case of the opponents of the Acts could be made out, and whether there was any ground for doubting that the Acts did all the good which, from a hygienic and a moral point of view, we believed they did effectuate. We, therefore, thought it right that a Committee should be appointed to inquire into the administration of those Acts, and that the Committee should be framed as impartially as possible, and that it should not be a packed Committee, but one against whom nothing could be said on the ground of partiality. That Committee, having taken important evidence with the utmost diligence, having examined witnesses from almost every section of the community who had anything to say on the point—they, having done that for the last four years, have made a Report, which I think, considering the care with which it has been drawn up, and the careful way in which the arguments for and against the Acts have been brought forward, will bear comparison with almost any Report which has been placed on this Table. The right hon. and learned Gentleman (Mr. Osborne Morgan) has proved, I think, conclusively, that the operation of the Acts has been entirely successful in the direction in which it was originally intended. I share the belief of the right hon. and learned Gentleman, that where you deal with complicated figures like these—where you deal with varying conditions, and conditions which, under no circumstances, can be defined—where the incidence of disease may have been greater at one station than another, but where the secondary results have to be brought into the tables of figures as much as the primary causes, difficulties undoubtedly suggest themselves in the examination of those figures; and I admit fairly what I have a right, on the other hand, to say to those who oppose those Acts that there is, in many cases, room for forming different opinions even from the very statements upon which either party may rely. But we have a right to claim from hon. Gentlemen, who oppose us with a conscientious opposition, that it is not from any light or paltry spirit that we have administered or supported these Acts; but upon the firm belief that the balance of moral and of physical advantage has been, and is, in favour of these Acts. The figures show very clearly that disease at the protected stations has very much diminished as over those which are not under the Acts. But there is a point which, to my mind—though it is impossible to prove it by figures, is, nevertheless, one which is barely second in importance to the primary object of the Acts. The right hon. and learned Gentleman, in the course of his most admirable speech, towards the end touched the prohibitive part of the Act. From what I have seen of various stations, from what I have seen before the passing of the Act and afterwards, it is almost impossible to overrate the preventive part of this Act so far as relates to juvenile immorality. Those who recollect some 25 years ago the persons who were the common inhabitants of camps know that they lived in a state which is not too strongly characterized by the Commission as being that of the lowest and deepest degradation. All that has been entirely swept away. I believe this statement is fully borne out—so far as I have examined the evidence—that, in many cases, those unfortunate women have been put within the reach of reclamation of which they have been glad to avail themselves; and had no other result followed the operation of the Acts than the diminution of juvenile prostitution—the interference of constituted authority in respect to the conduct of young women bordering on the line between levity and immorality—I believe that the value of these Acts has been unquestionable, and in that alone they have done very great and good service to morality. I am fully aware of the very serious objections which are constantly urged against these Acts by those who look upon them on moral grounds. I know, on the other hand, that it is perfectly true, as stated in the Report of the Committee, that in many cases those who object upon principle, and those who urge the abolition of these Acts, have no knowledge of the practical working of those Acts. I fail to follow the arguments of those who say that this vice is promoted in any degree by the administration of the Acts; and the right hon. and learned Gentleman (Mr. Osborne Morgan) was perfectly right, to my mind, in pointing out to the right hon. Gentleman the Member for Halifax that he could not use both arguments at the same time, that the Act was objectionable on the ground of the protection which it gave, and, on the other hand, that it was no protection at all. I hope that we shall shortly have the Secretary of State for War informing the House whether the intention of the Government is, as has been stated by some, to assent to the Motion of the right hon. Gentleman the Member for Halifax, and suddenly, as it were, to repeal that which is the existing law; and, if he does take that course, that he will let us understand on what grounds he has deferred any statement upon the subject up to the time when the Motion of the right hon. Gentleman came forward. This Report has now been before the Government, and was printed, and was probably in the possession of the Government before the close of last Session; and I think that there could be only one explanation—namely, that the noble Marquess, his Predecessor, and the Government are yielding to the pressure of what some believe is not only a Party, but a powerful Party; and, in that way, they are avoiding some of the responsibility which rightly attaches to those who hold the reins of Government. I only hope that the noble Marquess will dispel that.

Mr. THOROLD ROGERS: I wish to state, in a very few words, my view on this question. I would not intrude upon the House; but, as a matter of fact, it struck me that it was my duty, though not under any pressure from without, to place my views before the House, and to state the reasons which I have for coming to the conclusions to which I have arrived. I believe that this debate is conducted entirely on the ground of the public good; and I have no doubt that everyone who speaks for and against these Acts is influenced by what he thinks it is advisable to carry out for the good of the people of this country, and what is good for the Services which are especially protected under these Acts. I have not the smallest doubt that the right hon. and gallant Gentleman (Colonel Stanley) believes his view to be as just, as generous, and as true as anything that can be alleged on this side of the House. But, Sir, I understand that the motive which has induced the maintenance of these Acts is the protection of, not only some of Her Majesty's Services, but, if possible, the whole of Her Majesty's subjects, from the consequences of this hateful and horrible disease. Shortly after I had the honour of a seat in this House, knowing that I should have to vote on this question, and knowing how much the judgment of experts differs on questions of this kind, I took the opportunity of consulting a gentleman who, I believe, was one of the ablest, most conscientious, and most laborious students of pathology, now, unhappily, no more. I know of no man whose courage in the examination of scientific questions and whose sympathies for humanity were so keen as Professor Rolleston's; and I know of no man who would have sooner sacrificed even the strongest sympathies with any particular class of persons—or, indeed, opinions—if he believed that the general good of humanity would be attained thereby. He told me that every test had been applied in this case, and the result was that, in his belief, the Acts were absolutely and totally illusory; that they were worse than useless; that they constantly suggested a state of health that did not exist; and that, therefore, they were hopelessly misleading. If that be the case, then we, in maintaining these things, are maintaining that which is entirely useless and illusory, and even worse. It may be that a more energetic police, and a more careful supervision of the conduct of people in the streets, and a variety of other causes, are the true cause of the improvement to which my right hon. and learned Friend (Mr. Osborne Morgan) has referred. I have been told, not long since, that in one great town they have brought about results in the improvement of the morality of the town, and the modification and checking of disease, which is far in excess of those reputed results which we are told operate from these Acts. Well, Sir, that is not all. I have another reason. I do not think it is the women who are most responsible for this evil. I remember, some time ago, speaking to an extremely shrewd and intelligent Member of this House—Mr. Kirkman Hodgson—and I asked him whether he could give me any facts about this disease. He said it was always most intense in the Western towns, beginning with those towns that have a trade with the New World, and particularly with the tropical parts of it. He specified the several ports, and said that as you went from those infected districts you had a diminution of the number of cases of disease. I believe that that can be maintained by the evidence; and I can well recollect the surgeon of the old prison at Oxford, into which unfortunates are sent, under the authority of the University Proctors, speaking as to the extent of the disease in the purely inland towns; and he said that, although he had been a medical officer at the prison for 20 years, he had only one case of the special disease against which these Acts are directed. We ought to debate a good deal before we commit ourselves to accept and endorse the opinions of the Medical Profession. For that Profession I entertain the profoundest respect. I am the son of a physician and the grandson of a physician; I was brought up to it in my early days; I hold that it is a most beneficent calling; and I am behind no one in admiring the constant and laborious efforts of those who carry on that profession. But, at the same time, there is always, and especially in these days, when this mania for scientific dogmatizing is so rife, constantly a tendency on the part of those gentlemen to look with the greatest possible intolerance upon those who doubt the sufficiency of the inferences they draw. And, furthermore, there is another matter. These Acts are met by the constant and most persistent hostility of those who are best known for their philanthropic endeavours, by those who have striven most of all to reclaim and to help those who have fallen belonging to their own sex, and to do the best they can for them. It is hardly possible for anyone, whatever be the form of the Christianity to which he belongs, to find anyone who is not of one mind with his brethren on this matter; and I am bound to say that that, in my mind, counts for something. We are, I suppose, what we are, by the fact of our adherence to the principles of Christianity; and it is the opinion, universally held by those who are the warmest and the most philanthropic advocates of those principles, that these Acts are immoral and mischievous. It is under these circumstances that I have broken my silence in this debate to state that I feel it to be my duty to oppose these Acts.

Mr. O'SHAUGHNESSY: As the Chairman of this Committee, after Mr. Massey's death, it was my duty to consult with other Members of the Committee who shared my views, and to frame a Report in accordance with their own views; and it now becomes my duty, as briefly as I can, to state the main reasons which influenced the majority in adopting the Report to which they subscribed their names. I should like to say a few words in reference to the speech of the right hon. Gentleman the Member for Halifax (Mr. Stansfeld). He spoke of the absence of the Navy from our deliberations and our statistics; but I think it was understood that the Army was to be taken as an evidence of the effect of these Acts. There was no strenuous effort made—and, if I remember rightly, no effort made at all—to discuss the introduction of this evidence from the Navy; and if we had introduced evidence from the Navy, I do not think that the existence of the present Parliament would have seen out the deliberations of the Committee. Well, the right hon. Gentleman said that the majority did not appear to deliberate sufficiently over the contents of the Report which they adopted. But he must remember that this is a Committee of long standing, all the Members of which felt and showed the deepest interest in what they were discussing; that they had the Report before them for many days, and amongst ourselves we discussed the topics—we of the majority; and perhaps my hon. and learned Friend will remember that the majority did not silently adopt the words of the Report, because certain provisions at the end of the Report, to which I individually attached very great importance, were rejected by a majority of the Committee, although they were supported by the hon. and learned Member, I believe, and I believe also by the right hon. Member for Halifax, and by the other Members of the minority. These little things may be small; but they show that the majority did exercise their judgment. And I do not think it is fair of the right hon. Gentleman to say that we virtually recommended their extension. We said that, if these Acts were extended, we believed that better and greater hygienic results would accrue from their being so extended than would be the case now in their limited scope; and although we of the majority, in the state of public opinion, thought that we should be justified in doing so, we deliberately stated that, having regard to the strong public opinion which we knew to exist on this subject, we did not recommend the extension of them. We thought that it should not be grievously out of accord with public opinion. As to the rest of the right hon. Gentleman's speech, I have only to say that, considering the bitterness with which it was fought out—and this was not confined to one side or the other—that nothing could have been fairer than the way in which the right hon. Gentleman put his propositions and put his case; and although, from my point of view, he did not succeed, I must say that he allowed me great latitude in the way I attempted to put my case. Now, the first thing as regards these diseases which presented itself to the minds of the majority was that this disease of syphilis—and it applies also to the other diseases—is subject to fluctuations like other diseases which we know of. The meaning of that is this. If you take a country where there are no Acts in operation, you will find that from year to year, and from period to period, the number of cases of the population affected with this disease will vary—going up and down. These are not accidental changes of the moment; these fluctuations show a gradual rise and fall; and this shows that there is some cause which medical men do not attempt to ascertain with regard to this disease, any more than they do ascertain the cause why some other diseases rise at one period and fall at another. Suppose you take a country where there is a special mode of getting rid of it, and take the proportions in the parts which are subjected to special treatment and in those which are not, and you will get a very fair idea of what the special treatment is doing. You will find throughout the country, in the subjected places, the downward fluctuation, the diminution of the disease, going on at an increased rate as compared with the unsubjected district; and you will find the upward fluctuation, the increase of the disease, diminish, or perhaps be annihilated, in the subjected as compared with the unsubjected districts. You will find in the subjected district that the special treatment resists wholly, or partly, the disease, and that the unsubjected resist it to a much less extent. There is, however, another element which has to be borne in mind. The subjected places were, previous to the introduction of the Acts, in a worse position in reference to this disease than the unsubjected. There was a larger amount of disease in the subjected districts, and they were selected to be brought under these Acts for that very reason—because, the disease being larger there, there was a greater necessity for dealing with it. It was not by accident that it was, at a particular moment, greater in the places subjected. We find that the greater amount of disease existed there over a series of years; and this proves that the subjected districts were enormously more liable to the disease—of course, I am now talking of the time before the Acts were passed—and therefore it proves that, in these places, there was a greater tendency to cope with as regards the Acts than there would have been found in the unsubjected; and this element must be borne in mind, because it is an imperfect contrast to take two places at any moment for any series of years pending the operation of the Acts. If you want to measure the effects, you must measure the obstacles through a greater number of cases. Taking six years antecedent to the introduction of the Acts, we find in the subjected stations primary disease at the rate of 109·7 per 1,000. We find that in the unsubjected stations for the same time they stood at 103·0. But when we take the six years after the introduction of the Acts, we find the 109·7 of the subjected stations had fallen to 65·4, and the 103·0 of the unsubjected was only reduced to 93·6. That is to say, that there was a fall of 9 per cent in the unsubjected, and a fall of 40 per cent in the subjected districts; and if you attribute the fall of 9 per cent to natural causes, it leaves a diminution of 31 per cent in favour of the operation of the Acts in this particular kind of disease. We did the same from the years 1860 to 1863, and the subjected period of from 1870 to 1873. The same system of calculation was adopted; there was a balance of 34 per cent as the net gain of the Acts in these three years; and remember that 34 is sufficiently near 31 per cent in the other years to show that this is no accident. Well, the right hon. Gentleman says, as some of his witnesses said, that all the improvement in the subjected stations was before the Acts, and was the result of the rate of improvement which they had already attained, and there was a diagram prepared to illustrate that, and this diagram said nothing about the subjected stations, and nothing of the strength or weakness of the obstacles in the subjected stations; and, therefore, it did not furnish any very valuable material for the strengthening of their case; but Mr. Lawson, accepting that diagram, prepared by the opponents of the Acts, supplemented it, and added lines, showing the course of disease in the subjected and unsubjected stations before and after the Acts; and then it came out clearly, that before the Acts the subjected and unsubjected districts improved in a very parallel manner. They both improved; and that showed that there was a natural downward fluctuation. After the passing of the Act, there was a natural fluctuation upwards, because the disease went up. There was a rise after the passing of the Act of 1869. In the unsubjected districts, primary disease had then risen from 84 to 106, while in the sujected districts they had fallen. Then in 1869 there was a general downward fluctuation, and the result was that in 1871 the unsubjected stations had fallen to 81; but the subjected stations had fallen far more, to 51. Then, in 1872, everything fell considerably. Then, in 1877, the unsubjected stations were 68 and the other 35, and then the next year there came out the Reserves, which disturbed the calculations. That year raised the unsubjected from 68 to 78, and it only raised the subjected from 35 to 40. Now, as to the constitutional form of disease, and taking the same comparison of years, and thereby testing what the Acts have done as distinguished from natural causes, I find that there is a diminution in favour of the Acts of 29 per cent in the subjected stations. Then, in the periods between 1860 and 1863, and between 1870 and 1873, the ratio per 1,000 of admissions for secondary syphilis in unsubjected stations was in the former period 30·5; in the latter 27·5, showing a reduction of 10 per cent. In the subjected districts the corresponding ratios were 40 and 20·3 per 1,000, a diminution of 49 per cent, from which, if the natural reduction of 10 per cent in the unsubjected be subtracted, there remains in favour of the Acts a diminution of 39 per cent. But the right hon. Gentleman says that there were discrepancies between the Returns on which our evidence as to the stations are founded. This is rather a complicated subject; but I will endeavour to deal with it as plainly as I can. There were originally Tables handed in by Sir William Muir, and I think he was corroborated by Mr. Lawson. These Tables only included disease which was supposed to be caught in the country. It excluded all regiments that had not passed one year in the country; and then a Member of the Committee, the hon. Member for Reading (Mr. G. Palmer) asked for Returns which would show what was the entire amount of secondary disease introduced by soldiers in 12 months in the country, and it is on that Return that the calculations made have been drawn. It was the intention of this Gentleman to go on the Returns which Sir William Muir had asked for, and then that was adopted. Well, then, the argument of the right hon. Gentleman was that in the years before the passing of the Act there was a vast deal more importation of the disease than in the years after the passing of the Act, and that would give us an unfair advantage. But in doing this the right hon. Gentleman includes before the passing of the Act three years, from 1866 to 1869, when the Acts were partially in operation. Now, there was a very large amount of disease, and we actually burdened ourselves with this imported disease. Now, there is another matter which I shall touch upon very briefly. We alleged that in the subjected districts we are charged with secondary or constitutional syphilis, which comes from unsubjected places. Our allegation is that the imports of secondary syphilis are larger than the exports from those towns. Woolwich is a remarkable instance of this. Woolwich is a town with soldiers coming and going, and it is a town where they come to London and are likely to contract disease. Now, it must be borne in mind that the proportion of secondary to primary disease is generally about one to three; while with regard to Woolwich you will find that that proportion is departed from, and the secondary disease is two to three on the primary disease, and in many years the secondary disease is larger than the primary disease. Now, that proves absolutely that there must be an enormously larger amount of importation into that particular town than there is of exportation, and that that protected town must influence very largely the apparent effect of the Contagious Diseases Acts. These secondary cases which are in Woolwich cannot originate in Woolwich, because there are not a sufficient number of primary cases to generate them. This shows what a large balance of secondaries there is where there is a large amount of migration, and the same thing will go on in a lesser scale in other stations. Now, the right hon. Gentleman spoke of the percentage of secondary and primary disease in the protected stations, and said that it had increased; and his inference was that a man was more likely to be affected constitutionally—that is, with a dangerous form of disease—in protected than in unprotected districts. But, in the first place, it must be borne in mind that there is this large importation of secondary disease of which I spoke that would account, to a large extent, for the increase of secondaries; and there is a decrease of primary disease in those stations. But the right hon. Gentleman said nothing of the figures which appeared in the next column; figures which show that we began in the subjected stations in the six years before the Acts were passed, and that then there were 37 per 1,000 of secondaries, while the unsubjected began at 30 per 1,000; and when they came down to the period of 1872, the subjected stations were 22 per 1,000; while the unsubjected were 30; less than they stood at with regard to secondaries in 1866. These figures show the amount of disease that they had to cope with in the subjected stations and the course of this disease in the unsubjected stations, and it would have shown an increase if the Acts had been useless, or if there had been no Acts at all. The Minority Report winds up by stating that men are more in danger of secondaries in subjected than in unsubjected stations, and anyone reading this would fancy that a man going into those stations was absolutely more liable to get the disease; but all the figures quoted by the right hon. Gentleman show that, if a man gets any kind of disease, it is more likely that he will get the secondary disease in the subjected stations than in the unsubjected. That is all that it proves. We had the evidence of Mr. Lane, surgeon of the London Lock Hospital, a man of the very highest authority in these matters, and his evidence is that this mediate contagion is not frequent, and that it is quite exceptional; and we had the opinion of Dr. Barr, the surgeon at Aldershot, who states that the mediate contagion is not likely to occur with women who take care of themselves, while among men who take care it is. Now, if the danger of mediate contagion does exist, there can be nothing better to prevent it than these Acts, which inculcate care, and get over the unwillingness on the part of women, and so diminish the chance of conveying disease. Well, now, I should like to say one or two words upon the classification of disease. There are some attacks that end in constitutional disease—secondary disease — and there are some attacks which do not. And why does not the Army Medical Department classify them? Simply for this reason—it is impossible to classify them; you cannot tell for a considerable time—and I am about to give the evidence of it—whether those things will lead to secondary disease. It is necessary, for all purposes of statistics, for every kind of disease to make weekly Returns in the Army. Now, Mr. Lane, Mr. Lawson, and Mr. Macnamara—and both the latter are independent men—showed the impossibility at one period of classifying cases, and showing whether they will or will not lead to secondary symtoms. It is said that these primary affections are not of importance, and that really the only thing that these Acts are to be judged by are the secondary cases. I should like to say a very few words on the effect of these Acts on the efficiency of the Army. I will tell the House very briefly how we proceeded. We took the daily loss in the subjected and unsubjected stations. We found that it was greater in the unsubjected stations than in the subjected by one-fifth. In the period subsequent to the passing of the Act we found that it was less in the subjected stations in the proportion of 11½ to 13¾; but this did not represent all that was done in the subjected stations, because you should add the difference and the advantage which they originally possessed, and in that way they were brought up to 5·37 per 1,000. But the entire loss in these stations is 16½ per 1,000; and therefore this disease is cut down by these Acts by one-third—that is by no means a small reduction. But that does not represent all the good it does. There is the Navy, and there is the Civil population. England is divided into several districts, for the purpose of registering deaths. Now, all the subjected stations, save two, are in the second and fifth districts—these two are outside. In the quinquennial period, between 1875 and

1879, the reduction of deaths from syphilis was 14 per cent in those districts; and as you went away from the stations you find everywhere, excepting in one district, an increase of syphilis. In the districts more to the north it increases to 16 per cent in deaths from syphilis, and still further northward there is an increase of 37 per cent, and in the most central places there is an increase of 15 per cent. We say that this increase had taken place in places out of the range of the Acts; and, therefore, we are justified in attributing the reduction to the benefit of the Acts. I had intended to say something about the state of the disease amongst women. It is said that the disease is increased in the subjected stations amongst women. But mind, you have to ask yourselves about these women in the subjected stations—How long have they been in the subjected stations? Where did they come from? Did they come from subjected or unsubjected stations? I test it in this way. In the Return for 1880, showing all the women who came to Aldershot from other places, and who, on examination, were found diseased, it is shown that women coming from the subjected stations are much less likely to be diseased. Now, there was something said about what was done by Glasgow without subjecting themselves to these Acts. Well, there was a most excellent Act passed in 1870, and there was a well-conducted Lock Hospital there, and there was a great falling-off in the number of women, comparing 1870 with 1881, and that must be the result of the care which is taken by the Civil authorities in Glasgow. I do not deny that. But then I asked Dr. Patterson, who gave his evidence so clearly and so fairly on this subject, I asked this—What proportion did the number of women who came in in 1881 bear to the number of prostitutes who were going about Glasgow diseased at that time? and he told me that he could not say that, but that there must be a considerable reduction, inasmuch as there were 598 in 1869, and only 349 in 1881. We had it in evidence that Glasgow was a perfect hot-bed of vice and licence, and that there must be an enormous amount of disease at that time, and that the 598 cases that came in in 1869 to the hospital there must have been but a small proportion to the entire amount of disease which then existed. The form of the Motion is to get rid of compulsory examination, and to substitute whatever voluntary efforts may be made. The answer of those who administer Acts, and of those who take the view that experience has taught them, is that, without compulsion, women will not attend with such regularity and at such a time as to prevent the dissemination of the disease. They might attend when the disease was in its troublesome stage; but they would not come early enough. They would not submit to a periodical examination for the purpose of preventing its dissemination amongst the soldiers and others. It is our opinion that they will not do anything to prevent it; and, therefore, we must disclaim those voluntary efforts as being a successful mode of diminishing disease. The evidence on this subject is this—Dr. Lowndes, the surgeon of the Liverpool Lock Hospital, where the voluntary system is at work, says that women do not come in regularly. Mr. Macnamara told us that in Dublin they came in too late—they wait until they become intolerable to themselves; and even Mr. Patterson says that one section of the women in Glasgow do the same. It was said that the Royal Commission was against cumpulsory examination. But there has been a large experience since then. That Commission only came into existence in 1870, and reported in 1871; but it is quite evident, from the tone which the opponents of these Acts have taken up, that the right hon. Gentleman does not come here merely to get rid of compulsory examination; but it is admitted by those who object to these Acts that their aim is to do something far wider. Anyone who has listened to their evidence must know that they want to get rid of any special means being adopted in the garrison towns or anywhere else to save soldiers from the results of this disease. They regard, in general, assistance coming from rates and taxes as a licence and as an encouragement to sin; and they are bound to suppress, not merely compulsory examination, but everything of the kind. For that purpose they think it convenient to attack the system of compulsory examinations; because they know very well what we all know—that if compulsory examination were at once abolished, the attempts to carry it on by voluntary effort would not be allowed to succeed. I would like to say a few words as to some remarks which have been made with some persistency in the course of the sitting of the Committee, and by the Press; and, although it is not very clear, it is the point and essence of these Acts that voluntary hospital accommodation would be insufficient to cope with the disease. By voluntary hospitals is meant such as are supported, not by the rates, but voluntarily, and at which the attendance of the women should be voluntary. We have heard upstairs a great number of objections, on moral grounds, as to the rates and taxes being used for this purpose. I ask the right hon. Gentleman—Can we expect witnesses who object to this system of giving any help from the rates and taxes, as an encouragement for licence to vice, to be in earnest in depending on voluntary charity? Experience has shown what charity can do, and what it cannot do, in both unprotected and protected stations. In Glasgow, Mr. Patterson said that moral feeling was strongly against a Lock Hospital, and that it was difficult to get any subscriptions to it. He told us that that was the normal state of things. Then, in Dublin, Mr. Macnamara said that though the people would subscribe to reformatories, they would not give 1*s.* to the Lock Hospital; and I find that the same difficulty arises in Devonport. That shows that the voluntary system would not be applicable. Well, now, if the opponents of the system are logical—and I know that they are logical—they will be driven to oppose these hospitals, as far as they can do it, not only in this House, but, as far as their social power goes, to prevent voluntary contribution to Lock Hospitals, just as much as to State-aided hospitals. ["No, no!"] I am drawing an inference; but, for a certainty, many of the witnesses whom the right hon. Gentleman examined gave evidence to show that, in the main, the people of Glasgow and Dublin declined to support hospitals of this kind. If it be immoral to support them out of the rates and taxes, it is equally immoral to support them from the private purse; and every charge against supporting them by the rates and taxes would apply equally to discourage any attempt to raise money for voluntary hospitals. I wish to say a word or two on the moral aspects of the question. I do not pretend to deal with it exhaustively. I think that my right hon. Friend has done that. I quite admit that I do not think any converts will be made on either side, even if this debate last for months, on the moral aspect of this question; but, nevertheless, I am free to admit that the real burning point of the debate with most men—it ought to be with all men, and certainly would be with me if I thought that the Acts were immoral—is, not whether these Acts are useful, but whether they are or no a violation of morality. If I thought that these Acts were such a violation, the more efficient they were the more I should be bound to condemn them as giving encouragement to vice. But let us consider the question—is there anything wrong in the principle of these Acts? We found prostitution existing, and doing an immense amount of physical injury and an immense amount of moral injury. We found that the administration of the law openly and plainly tolerates prostitution, and that all attempts to suppress it had completely failed; and we found that no man of the present day, who has had any experience, would say that it is possible to suppress it. If it ever disappears, it must be under influences which have never yet been brought to bear against it, and it must be at a time remote from the present. If the moral evil is tolerated as a matter of principle, is it justice not to diminish the physical evil. So far for the principle of the thing. But now we have a question of fact—namely, whether the effect of these Acts is to increase or encourage vice amongst women, and that is a very different question from the question of principle, with which I have endeavoured to deal. Well, now, you have evidence on this subject that these Acts do not encourage vice. You have evidence of clergymen of all denominations, who have lived where these Acts are at work, and who have seen them administered, and who tell you that they do not encourage vice. I am not talking of persons officially acquainted with the Acts, but persons living in places where they are in force. We have the testimony of medical men and others, and that was met with the testimony of opponents; and, therefore, it may be said that those were simply matters of opinion, and could not be relied upon; but I rely upon the evidence of those clergymen—the Vicar of Portsmouth, Canon Wilkinson of Plymouth, and the Rev. Mr. Reed of Cork—who have seen these Acts administered, and have found them useful in preventing women going wrong, and who say that they have not increased temptations to vice. But there is another kind of evidence. If it be true that these Acts diminish the number of prostitutes and the number of brothels, and that they reclaim those who have gone on the streets and prevent them from remaining in that life, then it must follow that they diminish, instead of increase, temptations to vice. They give the clergy great facility of checking this vice, and I think it will be found that they tend in a different direction from that spoken of by their opponents. Well, I would like to say a word to the objections to these Acts on constitutional grounds. It is said that you must inflict considerable injury upon those women. But, then, those women are inflicting a great injury on society. You are to consider, not the men who are participating with the women in their sin, but you have to consider innocent people—the wives of those men and the children of those men, unto the third and fourth generation, who are affected by this disease; and when you are dealing with the Acts you must consider the loss to the Army and the Navy, and not the mere question of supposed injury to those women. These two matters are *primâ facie* to be considered, and it is necessary to have a certain amount of compulsion. Now, I ask, is there anything in the nature of the examination which renders it repulsive? So far as the examination goes, it is simply what other women undergo. It is simply what good women—a very large number of good women—undergo voluntarily for their health. The difference is in the compulsion, I admit. I am bound to say that if my hon. Friend took this up he would find that virtuous women do undergo this examination. ["How many?"] The hon. Gentleman says, "How many?" and then he says you put no question about that. The hon. Gentleman has asked one question, and I have said a very large number of virtuous women undergo this examination voluntarily; and the hon. and learned Gentleman says that it is not so, and then we are at issue. But then the real difference is the compulsion that is implied. Well, that compulsion is only upon those women who embrace this life, and who inflict injury on man. I know that many ladies of excellent intentions—the best ladies and most disinterested—regard this as an insult to their sex. I have always endeavoured, in carrying out my painful duties as Chairman of this Committee, to treat with the greatest respect those ladies; and I trust I have not been wanting to them in that respect. But I am bound to say that I cannot follow their reasoning. Those women give themselves deliberately up to this kind of life. Nobody, except as a figure of rhetoric, says that the pure woman is degraded by them. Well, the compulsion which these women undergo under the Acts we think is necessary in order to prevent them doing more harm; and surely that compulsion cannot be more degrading to the pure woman than the contemplation of the evil effects which would arise if these Acts were not in force. I hope that the House will not lose sight of the evidence. Those who say that the Acts are demoralizing have not got much help from those towns where they are at work, and where there is experience of their moral effects. No one can say that those towns are less moral than other towns; and everyone will admit that their inhabitants are in a better position to form an opinion on this one important feature of the question for and against these Acts. It struck me, and I think it struck most of us, that many of the witnesses against the Acts were relying upon theory, and that they had closed their eyes to the fact that many persons had been rescued from their evil courses, and that decency and order had prevailed in the towns where the Acts were in force, and that they had become the means of reclaiming fallen women. I submit that these Acts, considering the limited districts which they cover, and the disadvantages under which they are working, are efficient. I submit, too, that in strict theory they are not violations of the moral law; and I submit that, so far from being the enemies of morality, they are the allies of morality and reformation.

Mr. GEORGE RUSSELL: Sir, there was much in the speech of the Judge Advocate General (Mr. Osborne Morgan) to which, had I immediately followed him, I could have replied; but my object is to be as brief as possible, and I shall mainly confine myself to wider considerations than those on which he dwelt, and to one or two points which have fallen from the hon. and learned Gentleman who has preceded me. There are many points of view from which this subject may be treated. I, for one, as a mere matter of individual opinion, am not satisfied that the beneficial material results of the Acts have been made out. At any rate, there is a large body of opinion in the opposite direction; and I hold that, when it is shown that there is an invasion of Constitutional rights, when the departure from our ordinary practice is so clear and remarkable as in these Acts, there ought to be no possibility of denial or doubt as to their beneficial effect from the hygienic point of view; the mere existence of a second opinion seems tantamount to a condemnation. It is not, however, on the physical question only that I base my hostility to these Acts. It rests on a much deeper ground, for I believe them to be fundamentally immoral. The first respect in which they offend the moral sense is their miserable injustice as between man and woman. The whole view of life and society upon which this wretched legislation rests loses sight of the fact that impurity is as infamous in a man as in a woman. It may be said, in too many cases, that it is more heinous in man. The woman may be reduced to it by the bitter necessity of living; but the man reduces himself to it in obedience to a selfish lust. The guilt being equal between the two sexes, how differently are they treated. The man suffers no loss of position, no interference with the ordinary comforts of his life; it is not even a bar to a respectable marriage. But how different the lot of the woman! the first fall is often irretrievable, and she is cast away and abandoned to the passions of man. In the words of one who has been to many of us a teacher on this subject, I would ask hon. Members to follow me in imagination from the case of a man who, after drinking the deep draught of unlawful pleasures, has, at last, from motives of self-preservation, abandoned them and betaken himself to the comforts of home life, who is embraced by a pure woman and surrounded by innocent children; and I would ask them to go with me from his house where he lives in ease and affluence to the place where the woman, the victim of his passion, lives in hopeless misery. What was his sin? What was hers? What is the difference between them? And how unequal is their fate? At any rate, whatever the pangs of conscience—and I do not think that, however sensual, a man loses all pangs of conscience—he has still his friends around him, and a position in the world. Surely that difference in the case of the sexes is enough. But when you superadd to it the infamy of this Act, it becomes unbearable. How can it be said that to compel a woman to undergo this abominable examination is a parallel case to that of a virtuous woman who voluntarily submits to inspection for the sake of her health? There is no more parallelism between the case of a woman who is compulsorily examined and a virtuous woman who undergoes it for the benefit of her own health, than there is between a lawful marriage and the criminal violation of a woman. The act is the same in each case. The difference is the consent. One is the agreement from a pure and lofty motive, and the other is to gratify an unclean desire. Under this Act we all but close the paths of regeneration against these women. We efface the divine stamp upon them; we stamp them with the signet of the State, which marks them as the common prey of animal desire; and we condemn them to continue there, practically to the end of their days, in the same bondage which the selfishness of man has reduced them to. My objection goes deeper and further than that. The existence of these Acts — their continued existence—involves recognition of prostitution. The principle was enunciated by Milton, and has been accepted by all philosophic writers from that day to this—that where the State deals with moral wrong, except to punish that moral wrong, it is more or less directly sanctioned by the State; and here we do more than sanction it—we make it more seductive and more easy. The Judge Advocate General seemed to think that if the Acts had failed hygienically they could not be alleged to have encouraged vice. I say that the two things are not incompatible. We say, from careful examination of the evidence, that the promised hygienic benefit has failed, and yet the promise of it has misled the wretched dupes. I desire, publicly and emphatically, to give the strongest protest of which I am capable against the doctrine that in a civilized State prostitution is to be recognized as a necessity, or that we can morally tolerate that which is not necessarily an accompaniment, but the degradation of our manhood and the degradation of womankind. As regards the health of individual men, that has been sufficiently dealt with by those who have gone before me; but I lay stress on the moral ruin which is involved in the sacrifice of self-control, and upon the moral ruin which it brings upon men and upon society in general; and surely the voice of history is clear enough on that question. If we allow ourselves to go on in this way, then history tells us that as Rome was shattered before the strong sword of the barbarian, we shall crumble away as did the nations of old. Nature and reason have spoken to us, and history has spoken to us; and there is a third voice which ought to be attended to in this House, which is so jealous of its orthodoxy, and that is the voice of God and Revelation, and especially the New Testament, which I think ought to be clear enough and final upon this question. But it is, in a measure, hopeless and useless to set up standards of that kind, for although we are scrupulous about our theoretical orthodoxy, there is a vast amount of practical Atheism amongst us. Not long ago, within the precincts of this House, a certain number of believing women prayed that God would bless and further the effort of tonight; and I thought that that would be something worthy of sympathy and respect, even from professed unbelievers. Instead of that, what did we find? Those efforts are met with filthy smoking-room jokes, which are a disgrace to our common humanity. I say, whatever their station in or out of this House, I would rather have such people for my opponents than my allies in any possible contest. We will fight these Acts to the death. We must be prepared, as the late Chancellor of the Duchy of Lancaster (Mr. John Bright) said, to endure measureless insult, and to submit to hurricanes of abuse. I do not shrink from those consequences; but what I do shrink from more than anything else is the miserable cowardice which acquiesces, without a protest and without a struggle, in what it believes to be moral abomination.

MR. CAVENDISH BENTINCK said, he would not trouble the House with any lengthened observations upon the lecture which had just been delivered by the hon. Member for Aylesbury (Mr. George Russell), because, as the hon. Member had evidently neither read the Acts nor the Report of the Committee, he did not appear aware that the Acts were applicable only to prostitutes, and that any woman might at any time relieve herself from consequences by a *bonâ fide* abandonment of prostitution, and without any difficulty being interposed by the authorities. But, leaving the hon. Member for Aylesbury to become a wiser man, he (Mr. Bentinck) desired, in the first place, to enter a strong protest against the proceedings of the right hon. Member for Halifax (Mr. Stansfeld). Having himself attended 66 out of 70 Sittings of the Committee, he claimed to know something of the matter; and he desired to give a distinct contradiction to the allegation that the action of the majority of the Committee had been marked by carelessness or undue haste. He could not, however, part with the conduct of the right hon. Member for Halifax without severe animadversion, for the right hon. Member had thought fit to bring a charge of great gravity against the Judge Advocate General. At a meeting held at the Neumayer Hall in London, on the 25th of October, 1881, the right hon. Member said—

> "In exchanging Mr. Shaw Lefevre for Mr. Osborne Morgan we have lost a trustworthy and intelligent friend, and have gained an opponent; and the mischief and the bitterness for the Liberals amongst us lies in the fact that this opponent is the nominee on the Committee of Her Majesty's Government. Mr. Osborne Morgan has, in my opinion, played the part on that Committee of a partizan advocate. Mr. Osborne Morgan has so played his part as to outrage Members of the Committee who are opposed to these Acts. He sat there as the advocate of the Acts. He has neighboured with those who agreed with him, and turned aside from those opposed to this legislation as if they were beneath the notice of his new official eye. You can imagine that he has not been allowed to pursue this course without an occasional reminder; and what I say about him I say simply because he is the Representative, on that Committee, of the present Government. ['Hear, hear!'] I have made representation to the Government upon the subject, and what I said

to them I now repeat to you to-day. Either he represents them, or he does not; if he does represent them, it is time for them to look after him, lest he should commit them too far."

Now, he (Mr. Cavendish Bentinck), without hesitation, and in the presence of many Members of the Committee, denounced this charge as uncalled for, unjust, and untrue. It was without the shadow of a foundation. The conduct of the Judge Advocate General had been just and impartial throughout, such as might be expected from an honourable and upright man desiring of eliciting the truth, without fear of any consequences; and the Judge Advocate General had, moreover, shown an amount of patience and forbearance under the persistent attacks of the right hon. Member for Halifax and the hon. and learned Member for Stockport (Mr. Hopwood), which he (Mr. Cavendish Bentinck) would certainly not have exhibited had he found himself exposed to similar vituperation. But how could the right hon. Member for Halifax dare to bring any charge of unfair dealings, when his own antecedents on this question were so singular? He would appear to have forgotten that he was a Member of the Governments which passed the Acts of 1866 and 1869. Although he was a Member of the Cabinet from 1871 to 1874, he never took any step to repeal the obnoxious traffic. To borrow his own language—

"He neighboured with those who disagreed with him, and turned aside from those opposed to this legislation, as if they were beneath the notice of his official eye."

And, indeed, there was but one conclusion at which the impartial mind must arrive—namely, that at that period, at all events, the right hon. Member preferred his place to his principles. But the attacks on himself (Mr. Cavendish Bentinck), and the majority of the Committee, were not confined to the above. He had that morning received a paper called *Salient Points*, in which he was accused of partiality because he had held the Office of Judge Advocate General. This allegation might be treated with contempt, except that it proceeded from a certain Dr. Nevins, of whom few Members of the House would have ever heard; and this Dr. Nevins was a Provincial physician, employed by the right hon. Member for Halifax to prepare voluminous and unintelligible statistics in opposition to the Acts, but who admitted, in cross-examination, that he had never attended a primary venereal case in his life; that he had never visited a certified hospital, though every facility had been offered him for doing so; and, finally, he candidly admitted that even "ocular demonstration would not persuade him." Surely the House would agree that it was absurd to rely upon such witnesses as this Dr. Nevins. But leaving these collateral incidents, and coming to the main issue, he (Mr. Cavendish Bentinck) desired to explain his own action in supporting these beneficial Acts from the time of their first introduction. He had been actuated not by the expectation that the health of the Army and Navy would be improved, but by the expectation that a large class of degraded women would be relieved from want, disease, and physical and moral suffering. It had been his (Mr. Cavendish Bentinck's) fate to have lived in London all his life; and from an early age his pity had been so keenly moved by the helpless condition of the London prostitutes, that he had always determined, whenever he had the chance, to do his utmost to improve their condition. It was not, therefore, for the sake of soldiers or sailors that he had advocated this legislation; but for the sake of women only. Now, the opponents of the Acts hid their heads in the sand, and refused to see what was staring them in the face. Prostitution might or might not be a necessity; but, nevertheless, it was a fact. It had existed, as a leading Dissenting minister admitted to the Committee, ever since the days of the Patriarchs, and it existed still. In the interests, then, of humanity, there were only two alternatives before the Legislature. Either to prohibit prostitution by law, and make its practice an offence, or else to mitigate the evils and horrors which were consequent and incidental to the status. Now, so far as he (Mr. Cavendish Bentinck) could gather, the right hon. Member for Halifax and his friends were not prepared to put down prostitution. Mr. Shaen, the chief Pharisee of their body, admitted to the Committee that, if he were a doctor, he would not attend any practising prostitute, but would tell her to go elsewhere to be cured, yet this pious, moral, and charitable individual also admitted that he would not desire the law to interfere with any woman so long as the profits derived from her trading were received exclusively by herself; and Dr. Osborn, the chief of the Wesleyan Body, testified to the same repugnance to strengthen the law against prostitutes. If, then, all parties were agreed upon this point, the only alternative for the relief of these unhappy women was not to persecute them, not to hunt them from place to place, for by such means their recklessness and disease was increasing; but to care for their health, and endeavour, by good influences, to reclaim them from the evil ways into which they had unhappily wandered. To carry out this principle, compulsory examination and compulsory cure were both absolutely indispensable. Now, the argument of the right hon. Member for Halifax, that the compulsory examination of a woman was abhorrent to all modern ideas, was based upon a fallacy; because, prostitution being not compulsory, it was clear that if a woman accepted the position of a prostitute she must take the consequences, and, in relieving her from some of such consequences by the prevention of disease, it was the spirit of true humanity, which watched over the poor woman and assisted her far more effectually than the spirit of false sentiment, which would leave her to perish. To maintain that the periodical examination had, in fact, any hardening effect upon prostitutes was opposed to all reason; for if the examination were conducted with delicacy, as was always the case, surely it could have but little effect upon the nature of women, whose practice was to solicit daily and nightly in the streets. To prove that assertion, it was sufficient to refer to the evidence of Mr. Macnamara, of Dublin, who had been cited as a witness not too favourable to the Acts, and yet who, in reply to Question 6,500, distinctly stated that his opinion of compulsory periodical examination was an absolute necessity. Then, again, as between compulsory and voluntary cure, it was easy to show that the voluntary system had failed practically, and without prospect of ultimate success, so far as human intelligence could foretell. The Minority Report, it was true, asserted that the "system of free hospital was quite practicable and completely successful;" but that allegation was knocked over by the facts. The evidence before the Committee established that women came in too late and left too soon; and Mr. Macnamara—Answer 6,461—said—

> "Almost all patients come in an advanced state of disease, and the majority leave before cured, and go back to their original condition." [6,579.] "Would detain all till cured."

But the best proof of the failure of the voluntary system was, when tested, the boasted Glasgow case itself. A pious Scotch doctor was summoned to prove that the Glasgow Lock Hospital, without compulsion, was a perfect success; but in cross-examination he was compelled to admit that Glasgow, with 700,000 inhabitants, overflowing with diseased prostitutes, had given him, in the course of the year 1881, only 349 patients, of whom but 35 were prostitutes; and that, on the night of the 31st of December, 1881, the hospital had but 25 inmates, of whom two only were prostitutes; and he further confessed that there existed in the city a vast amount of prostitutes that never came near him at all. The confirmation of that reluctant testimony came from a more reliable source at Liverpool. Mr. Lowndes, one of the most learned and intelligent witnesses before the Committee, stated that in the Liverpool voluntary Lock Hospital there were—

> "Twenty-five beds not always full. They were filling better, but were not so full as might be, and had accommodation of which women would not avail themselves. But if the Acts were applied he could not only fill the wards, but multiply them 10 times over, because, undoubtedly, there was a vast deal of disease amongst prostitutes, which was not attended to."

These considerations brought up the vital question whether the interests of humanity would be served by the repeal of the Acts. He (Mr. Cavendish Bentinck) was satisfied the House did not know the miserably insufficient amount of voluntary Lock Hospital accommodation in the United Kingdom, or they would pause before agreeing to the Resolution then before them. He would tell the House that, at the present time, the voluntary Lock Hospitals of the United Kingdom only contained 157 beds, which were never full; while the Government, or "certified" hospitals, provided 650 beds, which were always full. The Minority Report said—

> "That there would be no difficulty in getting necessary funds to establish a large system of voluntary hospitals;"

but this statement was flatly contradicted by the Rev. Mr. Gledstone, an Independent minister, who stated—

> "He would not subscribe to any place where disease was treated in an exceptional way, and that he was the representative of many."

He (Mr. Cavendish Bentinck) was afraid that this was the exact truth; and, as a subscriber of long standing to voluntary Lock Hospitals, he deplored the apathy of the charitable public towards these excellent institutions, and was the more confirmed in his opinion that, if the Resolution were carried, the female prostitute class must be relegated to the horrors of the past, and those terrible scenes renewed which had been so graphically described by reliable witnesses. There could be no question but that, for the last 12 years, the Acts had worked most satisfactorily, with the acquiescence of all the parties concerned. Two main objections had disappeared altogether. First, no case of oppression or mistake had been sustained against the officials administering the Acts; and, secondly, it had been demonstrated that the provisions of the Acts were not repugnant to, but appreciated by, the women in the subjected districts. That being so, whence came the opposition to the Acts? He (Mr. Cavendish Bentinck) would tell the House that it proceeded from a combination of three discordant elements of opinion. First, those who believed that venereal disease was a "God-made" punishment for vice—and the Judge Advocate General had sufficiently shown that this opinion, held by Mr. Henley, was extensively prevalent amongst certain religious bodies throughout the country; secondly, those who held exaggerated ideas concerning the rights of women; and, thirdly, the ultra-revolutionary party, the followers of the late Mr. Mazzini, and of the present Municipal Council in Paris, who were prepared to sacrifice public health rather than accord any special powers to the police. These three classes of opinion combined were small in numbers, but noisy and energetic in action; and, by the expenditure of some £5,000 per annum, had kept the agitation against the Acts alive. He (Mr. Cavendish Bentinck) did not quarrel with them for the opinions they professed. He would not even object to the obscene publications which they distributed broadcast throughout the country; but he protested strongly against their unscrupulous conduct in fabricating false and scandalous charges against honourable and upright men and women to whom the administration of the Acts was confided. As a leading case, he would mention the conduct of a Mr. Frederick Wheeler, of Rochester. This individual was a Quaker, and, as such, while he eschewed the carnal weapon, preferred to adopt the devices of "Don Basilio," and to defeat his enemy by a baseless calumny. He had, therefore, published a "Leaflet," headed, *An Authenticated and Shocking Illustration of the working of the Contagious Diseases Acts*, in which he alleged that one Caroline Wybrow, after having been improperly detained some days in the Lock Hospital of Chatham, had been discovered to be a virgin. The case of Caroline Wybrow was fully investigated by the Committee, and the evidence, speaking for itself, would show that no blame rested with the officials; but the "Leaflet" went on to state that—

> "Hundreds of terrified girls had signed the voluntary submission form under the threat and terror of imprisonment;"

and yet, when pressed upon the point, this Wheeler was unable to cite one single case in support of his assertion. So much for truth and morality. He (Mr. Cavendish Bentinck) had called the attention of the hon. Member for Bristol (Mr. S. Morley) to this Wheeler's conduct, and had told him he ought either to retire from the Society for Repealing the Acts, or to drum Wheeler out of it; but the hon. Member for Bristol had replied that "he had no time to investigate the question, though he admitted it had two sides." So much for morality and truth. Then, again, the Rev. Mr. Gledstone had asserted, at a public meeting at Whitehaven last year, that the officials—

> "Had at their mercy females of all kinds, and their cowardly and brutal conduct made it absolutely dangerous for a decent woman to answer any question put by a soldier, be it ever so proper;"

but, when cross-examined, he, too, was unable to cite any case in support of his proposition, except that of Caroline Wybrow; and it was desirable that the House should know that, according to a Report of the Commissioners of Police, which he (Mr. Cavendish Bentinck) then produced, this virtuous and exemplary victim, Caroline Wybrow, was now keeping a house of convenience at Chatham. Finally there was the case of the Town Missionary, Krauss, who had the audacity to tell the Committee that from the footway on the public street at Woolwich passers by could see all the details of the examination of women in the examination room, and the doctor's head between their legs. He (Mr. Cavendish Bentinck) was so struck with this astonishing evidence, as it was styled in the Minority Reports, that he himself went to Woolwich to ascertain the truth; but he found that the distance from the footway to the window of the examination room, which was on the first floor, was 45 feet, and that the window was backed by a thick gauze blind, so that Krauss's statement was simply a barefaced and impudent falsehood. He (Mr. Cavendish Bentinck) felt it was sickening to press these details upon the House; but he was bound to do so in the cause of truth, and he would trouble the House no further, except on behalf of Inspector Anniss and Miss Webb, whose reputations had been shamefully attacked by the opponents of the Acts. At a meeting of the "Threefold Cord Society," an Association for the relief of fallen women, held in February last, at Plymouth, with the Archdeacon in the chair, and at least a dozen clergymen of the Church of England present. The Secretary, the Rev. F. Gurney, said—

> "He did not think anyone need take the trouble to defend these special Acts in Plymouth. Hypothetically, a great deal of feeling might be got up against them; but they had unquestionably been very much to the good of the town. They knew that in Plymouth their administration was in charge of an earnest Christian man, with a large and zealous desire for the saving of girls, and for affording protection to those who were on the brink of ruin! Mr. Anniss had many opportunities of bringing suitable cases under the notice of the Committee, and always did so."

He (Mr. Cavendish Bentinck) thought the above was amply sufficient to repel the aspersions cast upon Mr. Anniss by the right hon. Member for Halifax. With reference to Miss Webb, he would do no more than read a letter which he had received from her that morning, and which he felt must touch the hearts of all present—

> "I earnestly pray that the debate on the C.D. Acts will not end in Parliament repealing them. Nearly 13 years ago, I offered my services here, to devote my life to the reform of poor women brought under the provisions of the benevolent Acts; and I solemnly declare my conviction of them of this long experience to be greatly beneficial to the class affected by them, both morally and physically. With regard to the examinations, not only are they necessary for the work of the medical officer to be effective, but have no hardening effect whatever; besides which, any woman who chooses to change her evil courses frees herself at once from them. It will probably be said that these are the utterances of a 'paid official,' to meet which, it is only just to myself to tell you, I have been implored, more than once, to give it up for an easier post, with the same salary and every home comfort and freedom; but I have preferred remaining at my post, and that amidst violent persecution from the agent for the Society for the Repeal of the 'C.D. Acts'—Mr. Wheeler, of Rochester—who has continually sent me 'Leaflets' wherein I was shamefully libelled by him, and also their paper *The Shield*, of June, 1878, wherein, among other scurrilous remarks, they classed me with the keepers of houses of ill-fame. Trusting these 'Acts' may be retained."

He would only conclude with the remark that facts were stubborn things.

The Marquess of HARTINGTON: I shall not take up much of the time of the House with the few observations I have to make, and I shall not attempt to make any premature disclosures. The Members who addressed the House have simply been Members who have been on the Committee, to whom, I think, the House is deeply indebted—whatever our opinions are as to the merits—for the time and devotion they have given to the subject; for it must have been a most painful subject to them. Sir, in the few observations I intend to make, I shall enter only very cursorily into the questions that have been raised. The merits, whether for or against the retention of the Contagious Diseases Acts, have been very fully and amply discussed by those who preceded me; and they can be more advantageously discussed by those hon. Members who have had an opportunity of hearing the evidence brought before the Committee, and who have taken part in its deliberations. I should not have risen, except for the questions very naturally and legitimately addressed to me by the right hon. and gallant Member for North Lancashire (Colonel Stanley) as to the position the Government had taken on this question; and I propose to give a statement on this subject. I must ask the House to consider what was the position of this question when the Government took Office in 1880. The House will remember that at the last time the Liberal Government was in power it made an attempt, in 1872, to deal with the whole subject. I need not detain the House by recapitulating the provisions of the Bill introduced by the Government in 1872; I will simply remind them that that Bill proposed the repeal of a great part of the Acts which are now known as the Contagious Diseases Acts, and to substitute for them an amendment of the general law relating to questions of prostitution. That attempt of the Liberal Government of that day failed, partly for want of time, and partly because the proposals of that measure did not meet with the enthusiastic support of either Party. They did not satisfy the opponents—those who were for the repeal of the existing Acts—neither did the new provisions which they proposed give satisfaction to the other side. Shortly after that time the Government went out of Office, and were no longer called upon to do anything. At the General Election of 1880, as is well known, a large number of Members of the present Government were pledged deeply to the total abolition of the existing Acts. My right hon. Friend who preceded me in the Office I have the honour to hold (Mr. Childers) was, as the House is aware, opposed in principle to some of the most important provisions of the Contagious Diseases Acts, and had expressed his disapproval of the compulsory periodical examination of women, and his opinion that a great part of the good effect obtained by the advocates of the Act might be obtained by the amendment of the general law, and, at the same time, by the repeal of the compulsory provisions of those Acts. Well, Sir, probably, under these circumstances, my right hon. Friend would have been prepared to have made some proposal to the House in the direction of those opinions which he had advocated in 1875. But a Committee had been appointed, at the instance of the late Government, to inquire into the whole subject. That Committee had not concluded its labours, and it was thought desirable by both Parties that at opportunity should be given, by the reappointment of a Committee on the subject, for that matter to be brought to a close, with a view to learning the feeling of the House, so as to have some final settlement of the question. The Committee reported last year; but I am bound to say that, although their labours have been of great value in collecting and arranging a vast amount of information on this subject, the Report of the Committee has not tended in any degree to an amicable settlement which can be accepted by both sides—by those holding different views on the subject. The majority have agreed to a Report which, in substance, unequivocally agrees with the existing law, but has not made any recommendation for the modification of that law. The minority have put in a Report which, in equally unequivocal terms, condemns the whole of the existing Acts. It is quite evident, from what has taken place since the publication of the Report of the Committee, that nothing but a complete repeal of the Acts will satisfy their opponents; and, on the other hand, there is the Report of the majority of the Committee, and it does not furnish the Government with any argument with which it could, with a reasonable hope of success, put forward any modification or a compromise in regard to these Acts. Well, Sir, under those circumstances, Parliament will have to decide virtually whether it is prepared to defend the Acts substantially in the present form, or whether it shall give up either the whole or the most essential portion of those Acts. It is also evident that this inquiry has not afforded to the Members of the Government—amongst whom, as I have already stated, there was an entire divergence of opinion on the subject—any ground for arriving at an agreement among themselves. Under these circumstances, the difference of opinion to which I have already referred exists, I am bound to state, to an equal extent at the present moment. Those who have been, like myself, brought into contact with the administration of the Acts, and who are more directly responsible for the efficiency of the Army and Navy, are, in general, disposed to support the Acts. That is my view; and that is the view of my noble Friend the First Lord of the Admiralty, who is responsible for the administration of the Navy; and that is also the view of my right hon. and learned Friend the Home Secretary, under whose administration those Acts are carried out. The other Members of the Government who are brought less into contact with the administration of those Services, and who are more impressed with the insufficiency and the impolicy—and, perhaps, I do not use too strong a word when I say the immorality—of this legislation, do not see their way to making themselves responsible for the continued maintenance of legislation to which any opposition had been offered. Well, Sir, under these circumstances, there is no alternative, except so far as the Government is concerned, but to treat this question, as other questions of not less importance have before now been treated, as an open question by the Government. I am perfectly aware that of late years the number of subjects of importance which have been treated as open questions by the Government have not been numerous; but there are questions of great social importance, and of infinitely greater political importance than that which we have been discussing, which have been for years made open questions, upon which Members of an Administration differ. We, therefore, cannot advise—and it is impossible, under those circumstances, for the Government, as a Government, to advise—as to the course to be taken as to the extension or the repeal of those Acts. But, Sir, the right hon. and gallant Gentleman (Colonel Stanley) not only asked what course we should take with regard to the Motion, but what was our intention with regard to the administration of the law. Now, with regard to that point, I think there can be but one answer. So long as these Acts remain on the Statute Book, I conceive it is the duty of this Government, or any Government, to administer those Acts and to put into execution the provisions of the law. The laws cannot be altered by a Resolution of either House of Parliament, and it may, for anything I know, be the will of Parliament that these Acts be repealed; but until that repeal has taken place, I think undoubtedly it will be the duty of the Government to administer the Acts in the spirit in which they were passed, so far as Parliament gives us the means necessary for that administration. Having said so much—and I began by saying that I did not want to enter into the details of this controversy—I desire to make one or two short remarks upon the discussion which has taken place, and especially upon the speech of my right hon. Friend the Member for Halifax (Mr. Stansfeld). My right hon. Friend, with most intense earnestness and warmth, appears on this subject to have been led away into one or two exaggerations almost amounting to misstatements. My right hon. Friend said that these Acts had been condemned by repeated Commissions; and he said that the Commission of 1871 had condemned the Acts of 1866, and the Committee which had lately reported had condemned the Acts of 1864. I think that it is entirely inaccurate to say that the Commission condemned the Acts of 1866. If the House will allow me, I will read to the House what that Commission said. The Report was unanimous, although they appended separate Minutes. That Report was that they had come to the conclusion—

> "That although periodical examination of common prostitutes was the most effectual mode of dealing with venereal disease, that it is practically impossible to make the system general, even if on other grounds it was desirable to do so."

How can any impartial person come to the conclusion that that Report condemned the Acts of 1866, when the Commissioners unanimously reported that the previous Act of 1866 constituted the most effectual mode of dealing with disease? Well, then, my right hon. Friend devoted a great portion of his speech to the examination of the hygienic aspects of prostitution; but I think that the House must have felt that my right hon. Friend almost wasted his strength upon this, because the conclusion of his speech showed that it was absolutely impossible for him to approach this or any other branch of the subject in anything but the spirit of a partizan whose mind had been fully made up before he heard the evidence. Well, my right hon. Friend admitted in his speech that, whatever had been the result of his inquiries as to the effect of these Acts, it would not have made the slightest difference to his vote; and when I heard my right hon. Friend twisting the statistics, I admired the ingenuity of the pleader; but it was scarcely worth his while to give such attention to an examination of a branch of the subject, while he showed that he was absolutely and entirely indifferent to it. The House has to thank the Committee who have devoted so much time to the inquiry into a painful subject; and more especially, I think, they are indebted to the Judge Advocate General, and to the hon. and learned Member for Limerick (Mr. O'Shaughnessy), who, in the opinion of a great majority of the House, entered into this inquiry, not with the pre-conceived views of a partizan, but with the earnest desire to learn the truth; and I think the House would be disposed to accept the conclusion which, after a careful examination of the question and from an examination as to the hygienic branch of it, the right hon. and learned Gentleman and the hon. and learned Gentleman arrived, rather than accept the conclusion and the ingenious utterances of the right hon. Gentleman the Member for Halifax. My right hon. Friend the Member for Halifax accepted, for the purpose of his argument, the method adopted by the majority of the Committee, and said that at the best they could only make out a daily saving of 5½ per 1,000 men secured to the Army by the operation of these Acts, and at the most an addition of daily strength of from 250 or 300 were all that could be claimed for the Army. If the right hon. Gentleman accepted this for the purpose of his argument, I should like to ask him why he did not take that branch of the subject further from the latest information? The latest statistics which the Committee had under their consideration were the statistics of 1878; but the statistics of 1881 are now available, and the latter show that the saving of efficiency to the Army has gone on progressively increasing since the Report of the Committee, and that in 1880 it amounted not to 5½ per 1,000, but to 6½ per 1,000, and in 1881 to 8 per 1,000; so that, in that case, with an average strength of 50,000 men, the saving would be, in 1880, a saving of 325 men, and in 1881 of 400 men. But I do not at all admit on behalf of the Army that the saving of efficiency is represented by these figures. Those calculations take into account only a number of men actually in hospital and suffering from the effects of those diseases. I will not say that everyone bears with him either temporarily or permanently the results of this disease; but there is no doubt that a very large number of them after a very considerable time, permanently and for life, render themselves less efficient soldiers and sailors and useful members of society. It is impossible, from statistics, to ascertain what is the actual loss, and what is the actual effect in the Services from this consideration. The same idea of it may be obtained from the latest statistics that had been laid on the Table of the House as to 1880-1. In the protected stations, on an aggregate strength of 39,500, the admissions for primary syphilis were 2,920, or a ratio of admissions of 71 per 1,000. In all the unprotected stations, with a strength of 35,000 men, there were 5,673 admissions, or a ratio of 126 per 1,000. If the ratio of admissions had been the same in the protected as in the unprotected, the number of admissions in the protected districts would have been, not 2,520, but 4,920, or an increase of 2,000. I say that this part of the subject cannot be accurately arrived at by statistics, because it is impossible to see how much the larger proportion of those numbers are permanently affected. The medical evidence can leave no doubt upon the mind of any impartial person that a very large number are rendered inefficient for a proportion and probably for the remainder of their lives. Well, the right hon. Gentleman said that these Acts were only passed with the view of achieving great results. Whether the expectations that were formed by those who originally passed these Acts have been disappointed or not —very probably they have—I think it is certain that, so long as their operation is confined to a few stations, it must be limited. I entirely deny that this House is bound to abandon these Acts simply because they have not attained great results. It is sufficient for us that they have attained an adequate result. They have obtained a material increase in the health of the Army and Navy and in the general population, and these results have been obtained, I believe, without any interference whatever with the morality of the people. On the contrary, I believe they have been obtained with results most favourable to morality. I do not desire to detain the House. I will only say that I entirely concur with the position that was taken up by my right hon. and learned Friend the Judge Advocate General in the statement as to the position which the law assumes towards those interested, and as to the position which the law ought to assume. Whether it ought to do so or not, the law does not grapple with this vice in any manner whatever; probably it would be impossible for the law to grapple with it. In my opinion, we must accept it as a necessary evil; but there is no reason why we should abstain from attempting to mitigate one of its most frightful effects. More especially is it our duty to mitigate the evil effects of this vice as regards our soldiers and sailors, and to use every means in our power to mitigate the evil in the case of large masses of young men, who are brought into a position where they are exposed to temptation and to the indulgence of passions in which we know they will indulge with consequences fatal to the health, not only of themselves but of their descendants. Having brought together these large bodies of young men into positions where they are, not by the desire of their own free will, exposed to temptations and risks, it seems to me that it is the duty of the State to do all in its power to mitigate the effects of the temptations that these young men labour under, as far as it can be done without injury to public morals. Of course, it would be more satisfactory to me if I were able to speak, not only as the Representative of the Army in this House, but also as the Representative of Her Majesty's Government. The question is one, however, for the reasons I have explained, which must be decided by Parliament; and I sincerely trust that the decision of Parliament will be, not to interfere with the beneficial operation of these Acts until, at all events, some Members are able to propose some more complete and satisfying method of dealing with this evil.

Sir STAFFORD NORTHCOTE said, he wished to remind the noble Marquess the Secretary of State for War that when he rose to address the House he had stated that it was not his intention to bring the debate to a premature close. It seemed, however, that the noble Marquess rose to make a premature disclosure, which was one of a very remarkable character. He would, therefore, press upon the Government the importance of making a clean breast of it, and tell the House what it was that they themselves intended to do. It was all very well for the noble Marquess to say that, under the circumstances, Her Majesty's Government proposed to leave the matter in the hands of Parliament. He (Sir Stafford Northcote) could not help saying that Her Majesty's Government were becoming far too fond of leaving matters in the hands of Parliament. It was most strange that a Government which had come into Office with so large a majority at its command, should, at the end of its third year of Office, announce that it must leave a question of such high importance as this to be decided by Parliament. Every hon. Member must feel that the matter was not only one of peculiar importance, but one which it was particularly undesirable to leave open. Everybody felt the drawbacks and disadvantages of extraordinary and exceptional legislation in the matter; but, these Acts having been in operation for 15 or 16 years, they were only to be altered in case overwhelming advantage was to be gained by such a course, not only in Parliament, but throughout the country. The question had been raised and discussed in a manner, he would not go the length of saying there was no justification for, but which certainly had sometimes been pushed by methods it was very hard to justify, and which had, no doubt, caused a great deal of pain and scandal in what he could not help feeling was sometimes an unnecessary manner. He did not wish to enter into that matter, because he was aware that those who had preceded him had already done so, and that those who had adopted the methods he had referred to had done so under the sense of what they felt to be their duty, and in the desire to put an end to a very disagreeable question by bringing about what was considered to be necessary reforms. If the Government were of that opinion it was their duty to come to Parliament and say—"We will put a stop to these scandals by proposing an alteration of the law." But if the House had these proposals in a tangible shape before them, and were able to see if it was intended to propose the absolute repeal of the Acts, or only the modification of them, or something else, they would then be able to form a judgment upon the subject; but at the present moment all they had before them was that the Acts had worked satisfactorily to those Members of the Government who were charged with the special administration of the Departments to which they more immediately applied. It was not intended, as far as he could see, to propose any change of the law; but surely the Government ought to be called upon to decide what was to be done in the face of a Motion made by a distinguished Member of that House, who had taken a special interest in the question, and which Motion aimed at the destruction of the whole of these Acts. Although the words of the Motion simply pointed to one particular part of the matter—namely, the compulsory examination, there could be little doubt that the arguments of the right hon. Gentleman the Member for Halifax (Mr. Stansfeld) pointed to the overthrow of the whole system. If that was so, were the Government prepared to vote with the right hon. Gentleman, or were they prepared, as the noble Marquess the Secretary of State for War was, to vote against him, or were they prepared to take some intermediate course, which they might well do if the Speaker left the Chair, in order that they might, by deliberation and proper agreement among themselves, close this open question and bring forward, in some shape or other, some proposal of their own? He hoped the House would be told by some of those Members of the Government who disagreed with the noble Marquess and the First Lord of the Admiralty and other Members of the Ministry, what they proposed to do—whether they really meant to pass the Resolution now before the House and condemn the Acts while still keeping them in existence without doing anything to modify them? Did they mean to follow up their vote by proposing themselves, or assisting the right hon. Member for Halifax (Mr. Stansfeld) to bring in and carry, a measure on the subject? He thought they had a right to ask for that information. He was bound to say that the conduct of the Government was feeble and vacillating. He did not wish, however, to dwell upon that matter, but rather to point out the injury which he imagined must be done to the Public Service if the matter was to be left in doubt with the present vote of the House upon the Motion. Therefore, without entering further into the consideration of the question, he trusted that, after having listened to this long debate, which began, on the other side, after the Motion had been moved by an able speech from the Judge Advocate General, who told them he could not speak for the Government, and which had now culminated in a still more important speech from the noble Marquess the Secretary of State for War, who told them that the matter was to be left an open question, the House would not be satisfied until they had some further explanation as to the intentions of the Government. As the right hon. Gentleman the Prime Minister was not in his place, he hoped to hear from some one of the right hon. Gentleman's Colleagues—perhaps the Chancellor of the Exchequer, to whom the subject was not new, as he had for some years been acting as Secretary of State for War—what it was that Her Majesty's Government intended to do, and what the actual course of proceedings would be. It did seem to him that in a matter of this sort, in regard to which many Members of Parliament had been in the past induced to give votes of a character necessarily trying and painful to their feelings, and had incurred much reproach and misrepresentation because they had been induced by successive Governments to believe that there was a strong and overwhelming necessity for these Acts and for the vote they gave—it did seem to him that those hon. Members had strong reason to complain if they found the Government now turning round and leaving them in the lurch, and saying that they could decide neither one way nor the other, but that they must leave it in the hands of Parliament, in the hope that Parliament would decide it for them.

Mr. WHITBREAD said, it was not his business to make any remark on the speech which had just been delivered to the House; but he wished to make one or two observations upon what had fallen from the noble Marquess who was sitting below him. He did not intend to indulge in recriminatory charges, and he thought the noble Marquess was to be congratulated upon having called the House back to the calm consideration of the real question at issue. His right hon. Friend the Member for Halifax (Mr. Stansfeld) had dwelt upon the alleged hygienic failure of these Acts. But he had admitted, at the same time, that, failure or no failure, he should oppose them. The House, however, knew the sacrifices which his right hon. Friend had made upon this question. He had sacrificed time, peace, money, and every other ambition, in order to deal with this one question. He did not know any other instance, within his own experience, or that he had read of, of a man who had occupied the position of his right hon. Friend, who had so completely severed himself from every object of ambition in order to devote himself to one question in which he felt a deep interest. The subject had been argued too much on all sides, and especially by his noble Friend the Secretary of State for War, as if it was a question of these Acts or nothing at all. That was not the question; and he would ask the House, although he would promise not to detain them long, to travel with him, even at that late hour, to the state of things which existed before these Acts were passed. Hon. Gentlemen knew that before they were passed, successive Governments were in the habit of asking Parliament for Votes of money for the maintenance of Lock Wards at the seaports. Those wards were always full, and the contributions by the State were paid only on the certificate that the beds were occupied. But the beds were always full, and were always full in the way in which Lock Wards were never full now. There was no registration, and no policemen. Women of different classes, not only the street outcasts, on whom they were now able to lay their hands, but others, went into those wards. No questions were asked. The patient went in, was cured, and went out again. The aid of no policeman was called in. Even at that time the doctors, he admitted, were always pressing the authorities at the Admiralty and the War Office to pass some stringent Act. The doctors thought they could stamp out the disease; but, in his (Mr. Whitbread's) opinion, one of the things which Parliament ought to be most watchful about was when doctors asked to have policemen at their backs. At that time, some 20 years ago, the Government appointed a small Departmental Committee, in connection with the Admiralty and the War Office, to inquire into the subject; and among other evidence the Committee had before them, and which they received through the Foreign Office, were numerous Reports as to the state of things, and the ratio of disease in foreign ports, where severe Acts were in operation. But there was nothing learnt through the Reports from abroad that justified the hope that a compulsory Act of this kind would produce the desired result. There was nothing in the evidence which the Committee got, voluminous as it was, which justified that expectation. In point of fact, the Report of the Committee upon that point was to this effect—that, after the closest investigation they could give to the matter, it turned out that the prevalence of disease in foreign ports was very often in inverse ratio to the stringency of the registration imposed. That ought to have been a warning to us; but there was a single instance of apparent success, and that one single instance was made the justification of these Acts. That was the case of Malta. Malta had, a few years previously to the time he was speaking of—about the year 1859—suddenly adopted police regulations bearing on the question of prostitution, and there was a sudden increase in the amount of disease. Very severe regulations were then passed upon the subject; and, for a short time, it did appear as if the authorities at Malta would be able to stamp out the disease. He (Mr. Whitbread) happened to have an opportunity at Malta of inquiring into the question on the spot; and he was told by a very able official that what was applicable to Malta would in no way be applicable to the English seaports. In point of fact, the class of women to whom the soldiers and sailors had access in Malta were as distinctly known and as distinctly separate from all other women in Malta that the police were able to lay their hands on every one of them, and in that way they might be able to stamp out disease. But he wondered what would be said now as to Malta? Had anybody since, or would anybody now, hold up Malta as a successful example? On the contrary, he believed that disease had been as rife there as anywhere else. There was another matter which had, perhaps, a great effect on the minds of persons who had been considering the question, and it was this—that although the Lock Wards at the seaports where they were established were always full, it did happen on a particular occasion, when one of our ships came home from foreign service, and the men had a considerable sum of money in their possession, she put into Devonport, and the women, who at the time were under treatment in the Lock Wards, immediately left of their own accord. In point of fact, there was no power to detain them. That was exactly the view which the Government took. They said—"See, your whole system is broken down." As a matter of principle it was a very different thing to enact that when once a woman had gone into the Lock Wards, and placed herself under medical treatment, she should remain there until she was cured. That was a very different thing from the principle of requiring, under strict police regulation, a compulsory examination and registration; and what he said was, that if they were to rely upon a voluntary system, they had better rely upon it altogether, and, in the long run, they would find it more satisfactory than having a system that was half-voluntary and half-compulsory. There were one or two points which he was anxious, if he could, to impress upon the noble Marquess who had recently addressed the House, and he hoped his noble Friend would consider them carefully between now and the next time they had a debate of this sort in the House. First of all, he wanted the noble Marquess to consider that it was most unfair to compare the ratio of the disease in protected districts and the hospital with the ratio of disease in the unprotected districts. In point of fact, they were comparing the Acts with nothing. If they would make him an allowance for what would have been done if they had had voluntary Lock Wards in districts scattered all over the country for the last 16 years they had had this Act in operation, then he would be prepared to argue the question. He hoped the noble Marquess would consider the subject, and apply his mind carefully to it; and, in that case, he knew very well that his noble Friend would be able to sweep away all the extraneous matter which had been imported into it, and to grasp the central fact, which was this—neither a voluntary system nor a compulsory system would probably entirely eradicate this disease from the land. The question was, which would do the most good? His noble Friend would know, as well as he did, that the question of order in the streets had nothing whatever to do with the matter. Of course, the clergy, the doctors, and the police in some districts approved of these Acts. And why? Because it gave them quieter streets and more apparent morality, and it was feared that if the Acts were not compulsorily enforced it would require a larger body of police to keep order in the streets. But that question had nothing to do with compulsorily examination and registration, and would be attained as well under a voluntary system as it was now under the compulsory system. Then, again, as to the rescue of the women—why, what on earth had that to do with the police? Surely good people, who now entered the wards of the Lock Hospital, and endeavoured to lead fallen women back to a better life, would go into those wards were there were no policemen and no registration as freely as they entered those in which there were a policeman, examination, and registration. He thought these Acts had no bearing on that part of the question. And then as to the diminution of juvenile prostitution. If juveniles were driven off the streets by a policeman, why could not the policeman visit the brothel, whether the Act was there or not? And it was part of their business, and the business of any good man, to send back those children to their parents. The real question was, what did they gain by the Acts? They had abolished the system formerly in force, and what had they gained, and what had they lost? They had tried the experiment out, and they had come to a deadlock. The noble Marquess the Secretary of State for War admitted that they could not go much further in the reduction of disease. They had had the Act applied to a certain number of districts, and they knew that the country would not allow them to apply these Acts everywhere. Therefore, it might fairly be said that they had tried the experiment out, as far as they could try it; and now it was necessary they should ask themselves whether, if they had relied upon the voluntary system during the last 16 years, they might not have achieved more satisfactory results? They would then have had a system that was capable of expansion, and a system which might be applied to every town or district, without arousing this storm of indignation and feeling throughout the country. Those who remonstrated against the existence of the Acts, and the people who felt so keenly about them, were amongst the best and most moral people of the country. He contended that the feelings of these people ought to be regarded by Her Majesty's Government; and they must themselves see that the time was not far distant when they would be compelled to provide some new system to take the place of these Acts. He asked Her Majesty's Government to examine the evidence, even with the assistance, if necessary, of those who were opposed to the Acts, and really endeavour to master the question. If they did that, in his opinion they would come to the conclusion that if they reverted to the old system of State-assisted wards, the results would be far more satisfactory than those produced by the working of the existing Acts. He fully admitted that the health of their Army and of their Navy was a matter of great national importance and concern. He had always supported the grants of money which had been made in that House for the maintenance of Lock Wards, and he should do so again. He saw no harm in the application of the public money in that direction; but what all of them wanted to get rid of was the Police Clauses of the Acts. They thought they could do as well without those clauses as with them; and he believed, if they had never been enacted, the ratio of disease under the voluntary system would have become long ago less severe than it was now.

Mr. GORST said, he should have very much liked to give a silent vote upon the Motion; but as no Member had yet adddressed the House who represented one of the districts in which these Acts were enforced, and in which the population had, therefore, had some practical experience of their working, he thought he might be able to give the House some assistance by making a few observations; and he believed the House would want all the assistance it could get before it arrived at a decision upon the matter, seeing that they were left without that assistance from the Government to which they were constitutionally entitled. He ventured to say—and he thought that the right hon. Gentleman the Member for Halifax (Mr. Stansfeld) would not contradict the statement—that the morality of the people who lived in the places where these Acts were observed was not inferior to the morality even of the people of Halifax; and although the hon. Member for Bedford (Mr. Whitbread) had spoken of the doctors and clergy and magistrates of these places in a sneering tone—[Mr. Whitbread: No.]—and although he (Mr. Gorst) was unable to consider the question in the grave and philosophical spirit in which it was considered by the hon. Member, he ventured to tell the hon. Member that there were gentlemen in the places in which the Acts were applied quite as capable of looking at the question in the same philosophical spirit as the hon. Member was, and quite as competent, from education, experience, and knowledge, to arrive at a just conclusion. How did the right hon. Gentleman the Member for Halifax, who addressed the House so vehemently, and those who supported him, account for the fact that in the places in which the Acts were applied public opinion was almost unanimously in their favour? He had no right to speak for any place except the borough which he represented; but he said, without hesitation, that the borough of Chatham, which he had the honour to represent, was universally in favour of the maintenance of the Acts. And he believed, as far as he had been able to ascertain, that in the other places in which these Acts were enforced public opinion was greatly in their favour. His hon. Friend the Member for Portsmouth (Sir H. Drummond Wolff) reminded him that the Vicar of Portsmouth went before the Committee for the purpose of giving evidence in favour of the Acts, and the right hon. and learned Gentleman the Member for Whitehaven (Mr. Cavendish Bentinck) had read to the House a most touching letter from a lady in Chatham who had devoted 30 years of her life to the service of a Lock Hospital. These were facts which those who so vehemently opposed the operation of the Acts had to get over. But they were not the only facts. Another strong argument used against the operation of the Acts was that they were unjust and injurious to the wives and daughters of the people. Now, was it supposed that the people of Chatham were not just as jealous of the honour of their wives and daughters, and would not resist just as keenly any infringement of their personal liberty, as any people in the United Kingdom? How did they account for the fact that not a single working man in any of the places in which the Acts were in operation had ever come forward to denounce their operation? During the time he had represented the borough of Chatham he had had many questions put to him at public meetings and at election times, and he had been called upon to answer questions concerning Mr. Bradlaugh, about vaccination, and various other matters; but he had never, during the whole course of his experience, had a single remonstrance made to him by any working man in the borough of Chatham as to the maintenance of these Acts. These were facts, and he commended them to the attention of the House. They were facts which ought to be controverted and got over before the Acts were denounced in the unmeasured language they had heard that night. But he must confess that it appeared to him the House was in a most difficult position at the present moment for coming to any decision upon the subject. He had been very much astonished when his right hon. and learned Friend the Judge Advocate General (Mr. Osborne Morgan) addressed the House, at hearing him say he was not speaking on behalf of the Government. He thought the right hon. and learned Gentleman ought to have been speaking on behalf of Her Majesty's Government. His astonishment, however, was considerably increased when the noble Marquess who represented the Army in that House (the Marquess of Hartington) also rose to address the House, and intimated that he did not speak on behalf of Her Majesty's Government. The noble Marquess went further than that, and informed hon. Members that there were a considerable number of persons in Her Majesty's Government who were opposed to the further maintenance of the Acts, and were, therefore, he (Mr. Gorst) presumed, going to vote against them. But, notwithstanding that, when the right hon. Baronet the Member for North Devon (Sir Stafford Northcote) challenged the Members of the Government who were opposed to the maintenance of the Acts—alluding specially by name to the right hon. Gentleman the Chancellor of the Exchequer—to state their reasons for taking that course, the Treasury Bench maintained an ominous and an obstinate silence. They had had statements from the noble Marquess as to the efficiency arising from the maintenance of these Acts. They were told that the great Departments of the Army and Navy were not in favour of the maintenance of these Acts. They were also told that the right hon. and learned Gentleman the Home Secretary, who was charged with the execution of the Acts, was not in favour of their maintenance, and they knew that the constituencies, or, rather, every constituency in which the Acts were enforced, was in favour of their maintenance. That was very strong and very satisfactory information; but he thought they had a right to know something more than that—namely, what was the opinion of Her Majesty's Government as to the maintenance of the Acts? Where, he should like to ask, was the right hon. Gentleman the Prime Minister? The House was accustomed to hear the advice of the Prime Minister, and to listen to his arguments, before it arrived at a decision on any question of great importance. Why, he asked, had the Prime Minister gone from the House, and left them to come to a conclusion on the Motion of the right hon. Member for Halifax without one word of advice or explanation as to the views of the Government upon this question? The noble Marquess had treated the subject rather cavalierly; but it, nevertheless, involved some of the most important issues that could be conceived. One of the least important of those was the welfare of the Army and Navy; yet that was a tremendous and most important issue, and upon it the Government of the day ought at least to have an opinion. But there was an issue of much greater importance than that—the question of public morality. They had been told, in eloquent language, by the right hon. Gentleman the Member for Halifax, that public morality was involved in the question. They knew that many people in the country were greatly exercised in their minds with regard to these Acts, upon the ground that their maintenance constituted a national immorality. Did the Government have no opinion upon a question of that kind? Was national immorality to be an open question in the minds of Her Majesty's Government? But that was not all. This matter also involved the question of personal liberty—the liberty of the subject. Would Her Majesty's present Government treat the liberty of the subject as an open question? As a Government they were bound to have an opinion upon so great an issue. He had shown that this matter involved three of the most important principles that could be conceived, and yet they had only had speeches from two Members of the Government, who were careful to tell the House that they spoke in their own names, and that their Colleagues did not agree with them. When those dissentient Colleagues were challenged by the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote), they maintained a discreet silence; and, finally, the right hon. Gentleman at the head of the Government left the House to settle the matter as best they could without him. ["Divide!"] The cry of "Divide!" convinced him of what he already suspected—namely, that the House was at the present moment not in a fit condition to decide upon the question; and as he thought it would be most lamentable and unfortunate if they had to proceed to a division with the information they possessed, and without the advice they were entitled to have from Her Majesty's Government, he would move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Gorst.*)

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS) said, he had intended to address the House on the question proposed by his right hon. Friend; but, by the Rules of the House, when a Motion for adjournment was made, one had to confine himself to that subject. The observance of that Rule was strictly pressed by the hon. and learned Member for Chatham only a few nights ago, and that he (Mr. Childers) was bound to obey. He trusted, however, that the House would not adjourn, and would allow those to speak upon it who wished—and no one wished to speak more than he did, having been challenged by the Leader of the Opposition, and to make such observations as it appeared to him to be his duty. He hoped that the Motion would be withdrawn.

SIR STAFFORD NORTHCOTE: I think it is of so great importance that we should have the opinion of the Her Majesty's Government upon this question, that I trust my hon. and learned Friend will be willing to withdraw his Motion for the adjournment of the debate.

MR. GORST said, he was only waiting for a hint from Her Majesty's Government, and, having received it, he would ask leave to withdraw his Motion.

Motion, by leave, *withdrawn.*

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS) said, he felt that a new practice had been recently introduced into their debates, and that was, that when an hon. Member sitting on the Treasury Bench, or elsewhere in the House, was called upon by another hon. Member to give his opinion, he was bound there and then to get up, no matter how many other hon. Gentlemen were anxious to take part in the discussion. He would have risen before; but as he had observed that the hon. Member for Bedford (Mr. Whitbread) showed a disposition more than once to address the House, he refrained from interposing until his hon. Friend had spoken. He considered it his duty, after the appeal made to him by the right hon. Gentleman opposite, to state to the House, as one of those whose opinion had been expressly called for, the course which he proposed to take on the present occasion. In the first place, he would say that his noble Friend beside him (the Marquess of Hartington) had expressed most clearly what was the position of the Government, not only with respect to the Motion before the House, but with respect to the larger question of the Contagious Diseases Acts, only one-half of which was touched by the Motion of his right hon. Friend. It would be hardly proper for him to travel again over the ground taken by his noble Friend; but, with the permission of the House, he would, in a few words, state what was the position of those who, with respect to this question, did not agree entirely with his noble Friend. For his own part, he might also state that he was one of those who did not entirely agree with his right hon. Friend who brought forward this proposal. The right hon. Gentleman opposite had said that the Government had been urging the overwhelming importance of supporting, and even extending, the present Acts as they stood. But that was not the case. So far as he was aware, no Member of the present Government had taken that position, and it was certainly not the position which he himself had occupied with regard to the Acts for some years past. Let him remind the House of what had taken place with respect to the policy of the Acts since the appointment, in 1870, of the Commission over which Mr. Massey presided. That Commission, which sat during 1871, brought up a most valuable Report, which was presented to the House; and, as a consequence of that Report, the Government, in 1872, introduced a Bill for the repeal of the Acts. He remembered very well the framework of the Bill. Three-fourths of its provisions dealt with prostitution generally, and with juvenile prostitution particularly, as also with disease. It provided that prostitutes brought before the justices and committed for offences should not be liable to examination any more than other offenders. But this Bill, which embodied the proposals of the Government, did not pass, mainly owing to the pressure of Business before Parliament. After the introduction of the Bill, he did not think any Paper upon this subject came before the House until the year 1875, after a change of Government had taken place. After that Return had been presented, a Motion was brought forward by Sir Harcourt Johnstone, proposing to repeal the Acts altogether; and in the debate upon it Mr. Maseey spoke, who presided over the Committee of 1870. He was not aware whether the hon. Member for Bedford (Mr. Whitbread) took part in that debate; but perhaps the House would allow him to say that he himself, in speaking on the question, explained how, agreeing with the Bill introduced in 1872, it appeared to him that, without altogether repealing the Acts, it would be possible to do away with compulsory examination, and that, by applying the sub-section of the Bill which related to the prevention of prostitution—especially juvenile prostitution and seduction—and to houses of ill-fame, the object of the Acts might be carried out, and, at the same time, the immorality of compulsory examination altogether avoided. The proposal was not at all well received by a large body of the House, who had never been satisfied that the Acts had done good, and who were not prepared permanently to retain them. Since that time his opinion had altered very little. The hon. and learned Member for Chatham (Mr. Gorst) had alluded to him as having held certain views on the subject in connection with the Army, and as being responsible for legislation connected with that Service. It had been his special duty to study the Acts with reference to both the Army and Navy; and during the last two or three years it had not been a pleasant, although a necessary, task for him to read carefully the whole of the evidence given to the Select Committee and to form a judgment upon it; but he was bound to say that he had seen nothing to shake the opinion which he formed in 1875. He could not agree with his right hon. Friend (Mr. Stansfeld) on some points, and with regard to one or two others which his right hon. Friend had brought forward in his speech he differed from him entirely. He did not think it had been shown that the Acts had failed with reference to the diminution of prostitution in connection with the Army and Navy; and he was obliged to say that he did not share his right hon. Friend's opinion on that subject. On the contrary, he thought the Acts, as explained by his noble Friend the Secretary of State for War, with whom upon this point he agreed, had resulted in a diminution of disease, certainly as far as the Army was concerned. Further, he thought the Acts had had a good effect in reducing the element of juvenile prostitution that was the curse of certain towns. Anyone who remembered the state of Portsmouth, Devonport, and similar towns, must be aware that there was a marked diminution of what he had just spoken of—girls from 11 to 15 years of age having almost entirely disappeared from the streets. That improvement, he believed, was not due to compulsory examination; but, as he had said before, and repeated now, he considered it to be the result of the other provisions of the Acts—the good police administration, without which the Acts could not have been applied in the towns referred to, and the care that had been taken to carry out the Acts not formally, and on red-tape principles, but kindly, and in their true spirit. Looking, then, at the benefits which had resulted from the introduction of a good police system, he should regard it as the greatest of all misfortunes if they were to go back from it. This was the opinion he held, and upon it he was prepared to base his vote. He was not prepared to repeal the Acts without the substitution of some such provision as was contained in the Bill of 1872. In acting otherwise he thought they would be doing a great wrong, both to themselves and those unfortunate women contemplated by the existing law. Therefore, if the Motion of his right hon. Friend were a Motion for the repeal of the Acts, he should be unable to support it. But the Motion was in these words—"That the House disapproves the compulsory examination of women;" and as he conscientiously believed now, as he did in 1875, that compulsory examination was not a necessary part of their policy in this matter, believing that they could do all that his hon. Friend the Member for Bedford (Mr. Whitbread) suggested by maintaining Lock Hospitals as they were formerly, and looking to the benefits which had developed since the passing of the Acts, he considered himself in a position to support the Motion of his right hon. Friend.

MR. TATTON EGERTON said, he was sorry to hear shouts of impatience and cries of "Divide!" from the other side, because it was only a few minutes since the noble Marquess the Secretary of State for War had stated that hardly anyone had spoken during this debate who had not been a Member of the Committee on this particular subject. For that reason, he thought it only right that the subject should be ventilated by other Members who had not been on that Committee. He wished to put one further view of the matter. The Government had always placed under restriction trades of a dangerous character, and he wished to ask whether this was not a trade of a dangerous character, and whether, therefore, the Government should not be prepared with some sort of legislation upon it? One hon. Member had stated that Lock Hospitals were of some sort of use. But why should they wait till the disease had reached a condition that a hospital was required? Was it not better to nip the disease in the bud? Was there any reason to object to compulsory examination? Did not hospital doctors make compulsory examinations when the patients were in the hospital? Why, then, should examination be deferred? The Secretary of State for War and the Chancellor of the Exchequer had given testimony as to the value of these Acts both to the Army and to the Navy; and he, therefore, did not see any reason why the law should be altered.

MR. ACLAND said, the right hon. Member for Halifax (Mr. Stansfeld) delivered a most eloquent and sincere speech in raising this question, and he sympathized with very many of the right hon. Gentleman's points; but there was one point against which he felt bound, on the part of those whom he represented, to enter a protest, and that was that the right hon. Gentleman represented his view as an exclusively Christian view. He, however, claimed to have as much right to be called a Christian as the right hon. Gentleman; and he would venture to say that when there was a Memorial, which was in the hands of hon. Members, from the towns of Plymouth and Devonport, where these Acts were in force, in favour of the Acts signed by 120 persons, including many ministers of religion, magistrates, and other persons of considerable weight in those towns, it was not fair to represent the right hon. Gentleman's view as the only Christian view. He sympathized with many of the right hon. Gentleman's motives, but he could not agree with the Motion. He agreed almost entirely with what fell from the Chancellor of the Exchequer; but he could not but feel that as the question was now presented to the House it came simply to this—Were they to pretend to ignore that vice which stared them in the face every time they walked through the streets of their large towns; and were they prepared, by simply carrying this Resolution, to say that women who made a trade of corrupting our young men were to be allowed to do so with impunity and without repression?

Question put, "That the words proposed to be left out, stand part of the Question."

The House having been cleared for a Division,

SIR STAFFORD NORTHCOTE (remaining seated and speaking with his hat on) said: I wish to ask you, Sir, on a point of Order, whether, when the Motion is that you do leave the Chair in order that the House may go into Supply, that is not a Government Motion, and, therefore, the Tellers ought to be officials of the Government?

Mr. SPEAKER (speaking without rising): I received the name of one Teller, and the other has been named by that hon. Member.

Colonel STANLEY (seated and with his hat on): May I ask, Sir, whether it is competent for anyone but the Government to move Supply?

The CHANCELLOR of the EXCHEQUER (Mr. Childers) (seated and with his hat on): I think there have been precedents in which the Motion for Supply has not had Government Tellers. I will name one—the Motion for Local Option in 1881, which was brought forward on the Motion for Supply, and there were no Government Tellers.

Mr. SPEAKER (speaking without rising): Undoubtedly there are precedents for the course about to be taken.

Lord GEORGE HAMILTON (seated and with his hat on): Is it not a fact, Sir, that the Prime Minister moved that you do leave the Chair?

Mr. THOROLD ROGERS (seated and with his hat on): I wish to ask whether it is in the power of the Chair to call upon any two Members to act as Tellers on a subject of this kind without first knowing which way they will vote?

Mr SPEAKER (speaking without rising): I consulted the hon. Member on this matter, and asked him to name a second Teller; and the course taken by me is entirely not without precedents.

The House *divided*:—Ayes 110; Noes 182: Majority 72.

AYES.

Acland, Sir T. D.
Acland, C. T. D.
Allsopp, C.
Barttelot, Sir W. B.
Beach, W. W. B.
Bellingham, A. H.
Bentinck, rt. hn. G. C.
Beresford, G. De la P.
Biggar, J. G.
Boord, T. W.
Broadley, W. H. H.
Bruce, rt. hon. Lord C.
Brymer, W. E.
Bulwer, J. R.
Burnaby, General E. S.
Buszard, M. C.
Callan, P.
Cartwright, W. C.
Cecil, Lord E. H. B. G.
Churchill, Lord R.
Clarke, E.
Cole, Viscount
Compton, F.
Coope, O. E.
Cotes, C. C.
Crichton, Viscount
Cross, rt. hon. Sir R. A.
Cunliffe, Sir R. A.
Daly, J.
Davenport, W. B.
Dawnay, Col. hn. L. P.
Dawnay, hon. G. C.
De Worms, Baron H.
Digby, Col. hon. E.
Douglas, A. Akers-
Egerton, hon. A. de T.
Egerton, hon. A. F.
Elcho, Lord
Emlyn, Viscount
Estcourt, G. S.
Farquharson, Dr. R.
Fellowes, W. H.

*Sir Stafford Northcote*

Filmer, Sir E.
Findlater, W.
Fletcher, Sir H.
Fremantle, hon. T. F.
French-Brewster, R. A. B.
Glyn, hon. S. C.
Gorst, J. E.
Gower, hon. E. F. L.
Grantham, W.
Grosvenor, Lord R.
Guest, M. J.
Halsey, T. F.
Hamilton, right hon. Lord G.
Hamilton, Lord C. J.
Hartington, Marq. of
Hayter, Sir A. D.
Herbert, hon. S.
Hicks, E.
Hildyard, T. B. T.
Hinchingbrook, Visc.
Home, Lt.-Col. D. M.
Hope, rt. hn. A. J. B. B.
Kennard, Col. E. H.
Lawrance, J. C.
Leighton, S.
Lennox, Lord H. G.
Lever, J. O.
Lindsay, Sir R. L.
Long, W. H.
Lowther, rt. hon. J.
Lyons, R. D.
Macartney, J. W. E.
M'Garel-Hogg, Sir J.
Maitland, W. F.
Makins, Colonel W. T.
Martin, R. B.
Morgan, rt. hon. G. O.
Moss, R.
Murray, C. J.
Nicholson, W. N.
Northcote, rt. hon. Sir S. H.
Onslow, D. R.
Paget, R. H.
Price, Captain G. E.
Puleston, J. H.
Raikes, rt. hon. H. C.
Rankin, J.
Repton, G. W.
Ridley, Sir M. W.
Ross, A. H.
Russell, Lord A.
Sclater-Booth, rt. hn. G.
Selwin-Ibbetson, Sir H. J.
Severne, J. E.
Shaw, W.
Smith, rt. hon. W. H.
Stanley, rt. hn. Col. F.
Stanley, E. J.
Sykes, C.
Thornhill, T.
Tomlinson, W. E. M.
Tottenham, A. L.
Walrond, Col. W. H.
Warton, C. N.
Williams, S. C. E.
Wilmot, Sir H.
Winn, R.
Yorke, J. R.

TELLERS.

O'Shaughnessy, R.
Wolff, Sir H. D.

NOES.

Agnew, W.
Ainsworth, D.
Anderson, G.
Armitage, B.
Armitstead, G.
Arnold, A.
Asher, A.
Ashley, hon. E. M.
Balfour, A. J.
Baring, T. C.
Barran, J.
Baxter, rt. hon. W. E.
Bective, Earl of
Bolton, J. C.
Brett, R. B.
Bright, J. (Manchester)
Bright, rt. hon. J.
Broadhurst, H.
Brogden, A.
Brown, A. H.
Bruce, hon. R. P.
Bryce, J.
Buchanan, T. R.
Burt, T.
Caine, W. S.
Cameron, C.
Campbell, J. A.
Carbutt, E. H.
Chamberlain, rt. hn. J.
Chambers, Sir T.
Cheetham, J. F.
Childers, rt. hn. H. C. E.
Clarke, J. C.
Clifford, C. C.
Cohen, A.
Colman, J. J.
Corbet, W. J.
Corbett, J.
Corry, J. P.
Courtney, L. H.
Cowen, J.
Creyke, R.
Cropper, J.
Cross, J. K.
Crum, A.
Davey, H.
Davies, R.
Davies, W.
Dilke, rt. hn. Sir C. W.
Dillwyn, L. L.
Dodds, J.
Dodson, rt. hon. J. G.
Dundas, hon. J. C.
Edwards, P.
Egerton, Admiral hon. F.
Ewart, W.
Feilden, Maj.-Gen. R. J.
Ffolkes, Sir W. H. B.
Firth, J. F. B.
Fitzwilliam, hon. H. W.
Fitzwilliam, hon. W. J.
Foljambe, F. J. S.
Forster, Sir C.

Forster, rt. hon. W. E.
Fowler, H. H.
Fowler, R. N.
Fowler, W.
Fry, L.
Fry, T.
Gladstone, H. J.
Gladstone, W. H.
Gordon, Sir A.
Gourley, E. T.
Grant, Sir G. M.
Grant, A.
Grant, D.
Gray, E. D.
Greer, T.
Grey, A. H. G.
Gurdon, R. T.
Hamilton, J. G. C.
Henderson, F.
Herschell, Sir F.
Hibbert, J. T.
Holden, I.
Holland, Sir H. T.
Hollond, J. R.
Holms, J.
Howard, E. S.
Illingworth, A.
James, Sir H.
Jenkins, Sir J. J.
Jenkins, D. J.
Kennard, C. J.
Kenny, M. J.
Kensington, Lord
Labouchere, H.
Lambton, hon. F. W.
Lawrence, Sir J. C.
Lawson, Sir W.
Leake, R.
Leamy, E.
Leatham, E. A.
Leatham, W. H.
Lefevre, rt. hn. G. J. S.
M'Arthur, Sir W.
M'Arthur, A.
M'Carthy, J.
M'Clure, Sir T.
Mackie, R. B.
Mackintosh, C. F.
Mappin, F. T.
Marjoribanks, E.
Maskelyne, M. H. Story-
Master, T. W. C.
Molloy, B. C.
Monk, C. J.
Morley, A.
Morley, J.
Morley, S.
Newdegate, C. N.
Noel, E.
Northcote, H. S.
O'Brien, W.
O'Connor, A.
O'Connor, T. P.
O'Donnell, F. H.
O'Kelly, J.
Palmer, C. M.
Palmer, G.
Palmer, J. H.
Parker, C. S.
Pease, Sir J. W.
Pease, A.
Peddie, J. D.
Pell, A.
Pennington, F.
Powell, W. R. H.
Power, J. O'C.
Power, R.
Pugh, L. P.
Ramsay, J.
Ramsden, Sir J.
Rathbone, W.
Reed, Sir E. J.
Reid, R. T.
Rendel, S.
Richard, H.
Richardson, J. N.
Richardson, T.
Roberts, J.
Rogers, J. E. T.
Round, J.
Russell, G. W. E.
Rylands, P.
Seely, C. (Nottingham)
Sexton, T.
Shaw, T.
Sheridan, H. B.
Shield, H.
Slagg, J.
Smith, A.
Smith, E.
Smith, S.
Spencer, hon. C. R.
Stanley, hon. E. L.
Summers, W.
Taylor, P. A.
Tennant, C.
Thomasson, J. P.
Tillett, J. H.
Torrens, W. T. M.
Tracy, hon. F. S. A. Hanbury-
Trevelyan, rt. hn. G. O.
Waddy, S. D.
Waugh, E.
Webster, J.
Whitbread, S.
Williamson, S.
Wilson, Sir M.
Wilson, I.
Wodehouse, E. R.

TELLERS.
Hopwood, C. H.
Stansfeld, rt. hon. J.

Words *added.*

Main Question, as amended, put, and *agreed to.*

*Resolved,* That this House disapproves of the compulsory examination of women under the Contagious Diseases Acts.

Lord RANDOLPH CHURCHILL asked the noble Marquess the Secretary of State for War, as representing the Government, whether it was the intention of the Government at once to introduce a Bill to give effect to the Resolution just passed?

The Marquess of HARTINGTON said, he could not answer that Question now, as he had not had time to consider the point.

Lord RANDOLPH CHURCHILL said, he would repeat his Question on Monday.

Lord GEORGE HAMILTON said, that before the Government considered that question he would like to suggest to them another point. There were two right hon. Gentlemen in the Ministry, the late Secretary of State for War and the present Secretary of State for War, who had had full opportunity of considering this question, and they had arrived at diametrically opposite conclusions. Therefore, before the Government introduced a Bill upon the subject he supposed Her Majesty would be favoured with the resignation of that Minister for War who had voted against the Resolution, and who, therefore, could not agree with the Bill which, upon their Executive responsibility, the Ministry would present for the consideration of the House.

## *QUESTIONS.*

## PARLIAMENT—BUSINESS OF THE HOUSE.

Sir STAFFORD NORTHCOTE asked what was to be the Business taken on Monday, and when the Government proposed to proceed with the two Annuity Bills, and with the Customs and Inland Revenue Bill? He presumed there was no intention of proceeding with them at the present Sitting.

The Marquess of HARTINGTON said the first Order on Monday would be the second reading of the Parliamentary Oaths Act (1866) Amendment Bill. The Annuity Bills would be the second and third Orders, and, if possible, the Government would proceed with the Customs and Inland Revenue Bill. His right hon. Friend the Chancellor of the Exchequer would state definitely on Monday when he would take the Customs and Inland Revenue Bill.

SIR WILFRID LAWSON inquired after what hour the Pension Bills would not be taken on Monday?

SIR H. DRUMMOND WOLFF said, it was very desirable that an answer should be given to the question of the hon. Member for Carlisle (Sir Wilfrid Lawson). The House could not always be kept in the dark. They had been kept in the dark until the very last moment as to the intentions of the Government in regard to the Motion of the right hon. Gentleman the Member for Halifax (Mr. Stansfeld), and now it was desired to keep them in the dark as to the Annuity Bills. The noble Marquess, in the absence of the principal Member of the Government, ought to give them the required information.

THE MARQUESS OF HARTINGTON said, he would consult with his right hon Friend the Prime Minister, and be able to answer the question at the opening of Monday's Sitting.

House adjourned at a quarter after One o'clock till Monday next.

## HOUSE OF LORDS,

*Monday*, 23rd *April*, 1883.

MINUTES.]—SELECT COMMITTEE — House of Lords (Construction and Accommodation), *nominated.*

PUBLIC BILLS—*First Reading*—Pluralities Acts Amendment * (42); Court of Chancery of Lancaster * (43); Mersey River (Gunpowder) * (46).

*Committee*—Contempts of Court (15-45).

*Third Reading* — Land Drainage Provisional Order * (26), and *passed.*

### EMIGRATION (IRELAND).

#### RESOLUTION.

THE EARL OF DUNRAVEN, in rising to call attention to the distress prevailing in certain parts of Ireland; and to move—

> "That this House, while desiring to impress upon the Government the necessity of securing sufficient relief for the suffering population, is of opinion that a large scheme of emigration is desirable to prevent the recurrence of similar distress,"

said, that before going into the question of the distress existing in certain districts in Ireland and the remedies that might be applied to that lamentable state of things, he wished, having regard to some observations he should have to make later on, to ask their Lordships' attention to a fact of great importance, as he thought—namely, that not only were a few localities suffering from distress, but the whole country was suffering, not, it was true, from distress, or anything approaching to it, but from a general industrial decline. After the great catastrophe of the Famine, Ireland gradually recovered itself, and commenced to improve slowly, but tolerably surely. By degrees the tendency of land to change from arable to pasture began to make itself felt; but this change, although involving a diminution of population, and although it might be regretted on that account, could not be considered unhealthy, seeing that it was the natural result of natural laws and the competition of foreign countries. The diminution of the area under cultivation was balanced by an increase in the stock-raising capacity of the country. Between 1841 and 1871 the live stock increased considerably. In 1841 it was valued at £21,105,808; in 1851, at £27,737,395; in 1861, at £33,434,385; in 1871, at £37,515,211—thus showing a steady and most satisfactory increase during those 30 years. But this increase had not been maintained. During the 10 years between 1871 and 1881 the value of live stock had diminished from £37,515,211 to £35,847,311, showing a decrease in value of over £1,500,000. That was a very significant fact. What they saw now in Ireland was this—land going out of cultivation with ever-increasing rapidity. Thus, in the 10 years preceding 1881, 351,770 acres went out of tillage, as against 150,350 acres in the decade of 1861-70 inclusive. At the same time, the amount of meadow land was increasing, but not in anything like due proportion, and the rate of increase was becoming less and less. The increase in meadow land between 1861 and 1870 was 285,495 acres; but between 1871 and 1880 it was only 255,064 acres. There had been in this period a large decrease in the yield of barley and wheat, and a very small, insignificant increase in oats. The area under root crops had also diminished. The number of live stock had fallen off since 1872 by 72,550 cattle and 191,761 sheep. He had used the statistics of the last 20 years as far as practicable, and, except in the last instance, had not taken into consideration the last two years at all. But his contention that the whole agricultural industry was falling off in all its branches would be greatly strengthened if the statistics of the years 1881 and 1882 were used. These facts showed that the country was not only gradually changing from arable to pasture, but that the whole production of the country, whether in crops or stock, had diminished, especially since 1871. It showed not a transference of capital from one industry to another, but an absolute withdrawal of capital from profitable employment. Nor was there any sign that the capital withdrawn from agricultural industry was being transferred to any more profitable employment. On the contrary, with scarcely an exception, all the other industries in the country appeared to be also languishing. The value of the fisheries and the number of people employed in them had greatly diminished. In 1857 the vessels and boats employed numbered 12,578; in 1881 they numbered 6,458—a diminution of nearly half in 25 years. The number of men and boys employed in 1857 was 53,673; in 1881 there were only 24,528 men and boys engaged in those fisheries, showing a falling-off of something more than one-half in the number of persons employed. During the last five years—the only years in regard to which he had been able to obtain information—the value of the Irish herring fishery had greatly diminished. In 1877 it amounted to £350,232; in 1878 it was £220,278; in 1879, £139,880; in 1880, £101,113; and in 1881 it was only £63,876; so that in the year 1881 the herring fishery was not worth one-fifth of what it was four years before. There was no indication that during this period a profitable transfer of capital from one employment to another had taken place. The production of flax alone during two or three years showed an increase, which was not maintained. The picture was not a very satisfactory one. He did not wish to compare it with the comparative period of prosperity which Ireland enjoyed before the Famine. That prosperity was artificial and fictitious, and could not last. It was caused by Protection and high war prices, and by the reckless manner in which occupying tenants holding largely under middlemen who had leases, and not being, therefore, under the control of the landlords, sacrificed the future of their country to their present advantage by burning the land—a crime from which the country had never recovered. When these stimulating causes were removed the country was bound to decline. Neither would he see cause for alarm in the fact that land was going out of cultivation, provided that an increase in live stock showed that capital and labour formerly employed in tillage were transferred to more profitable employment; but he did see cause for alarm in the fact that land was going out of cultivation, and that, at the same time, live stock was diminishing, that the fisheries were declining with the greatest rapidity, and that nearly all the industries in the country were in an unhealthy and decaying condition. He could only account for that state of things by an absolute withdrawal of capital from any kind of employment, owing to the great insecurity for property and capital which had been experienced in Ireland for the last few years. So much for the general condition of the country. As to the distress existing in particular districts, it was unnecessary for him to say much in proof of that fact. It was shown by the Returns lately made by the Local Government Board in Ireland, and by the Reports of the Poor Law Inspectors to that Board. The Chief Secretary to the Lord Lieutenant had admitted it in the able speeches which he had delivered on that subject in the other House of Parliament. Speaking last February, he said—

> "The condition of the poorest class of farmers is more deplorable than that of any class of people living in any civilized country;"

and he allowed that the population in certain distressed districts was "in a state of social and financial crisis." The condition of the people in the Western districts of Ireland was most deplorable. At the best of times they lived on food insufficient in quantity and inferior in quality. They lived in the utmost misery and squalor, not only without luxuries, but without the necessaries or the decencies of life; and at shortly recurring intervals their normally miserable condition became intensified to partial and sometimes actual famine. The whole circumstances of the lives of these people were most injurious, both to their moral and physical nature. Certain Western districts of Ireland had always been subject to periods of acute distress, and that they should be suffering at the present moment was very significant, owing to the fact that the distress occurred after Ireland had enjoyed three fairly good harvests, and after a very large sum of money had been expended in the relief of those poor and distressed districts. The value of the harvest of 1880 was £32,657,138. The harvest of 1881 was valued at £34,348,911. The value of the yield of the year 1882 showed a falling-off, for it amounted to only £28,530,744; 1882 was a bad year, though not disastrously bad. In those three years, therefore, of 1880, 1881, and 1882, the harvests, taken together, were above the average. During the last three years, also, public money to the amount of £1,500,000, contributed from the Irish Church Fund, and private charity to the amount of £500,000, was expended in relief; yet after the expenditure of all this charity, and after three harvests better than the average, they found the people in large districts in a state of extreme destitution. He had not the slightest doubt that the Government fully understood the gravity of the existing state of things, that they were prepared to deal with it, and were dealing with it in the proper manner. He believed they were perfectly right in relying upon the administration of the Poor Law to meet the difficulty. It might seem hard and cruel to say so; but he was perfectly convinced that such a course was, in the long run, far the most merciful to the people themselves. The evil consequences of relief works had been sufficiently proved in the past. He was not, therefore, specially concerned to ask now about the immediate steps to be taken, though he should be glad to hear from the noble Lord the Lord President of the Council that the distress was being dealt with in a satisfactory manner, and that the worst was over. But what he was most anxious about was to know what steps were to be taken to prevent the recurrence of a similar state of things in the future. It was, in his opinion, necessary that some large and comprehensive measures should be undertaken. It was not too much to say that our whole commercial and financial system, our method of governing, and our civilization, were at stake in this matter. Ireland enjoyed a comparative and, as he had said, a fictitious degree of prosperity under Protection; but under the system which had superseded Protection the country was deteriorating. It was certain that at the bottom of the demand for Home Rule, which was generally attributed to vague and unfounded national aspirations, there was a strong feeling on the part of the people that, however beneficial our commercial system might be to Great Britain, where there were good markets for produce of all kinds, and where the bulk of the population lived by manufactures and industries, it was not beneficial to a purely agricultural country like Ireland. If by wise action on the part of the State the contrary could be proved, more would be done towards persuading the people of Ireland of the advantages of the British connection than any amount of argument, or the most eloquently conclusive proofs of the economic soundness of Free Trade principles. The remedies that, to his mind, might be applied were simple; but they required to be applied in a large, generous, and comprehensive spirit. The method that had hitherto been adopted was to spend large sums of public and private money in charity whenever the necessities of the case required it. Mr. O'Connor Power, in a most interesting speech delivered the other day in the other House of Parliament, put the total amount spent during the last 50 or 60 years in, to use his own words, "supplementing poor incomes and relieving distress," at £50,000,000. In the year 1880 alone £2,000,000 had been expended in affording temporary relief. But this vast expenditure of money had in reality done, if anything, more harm than good. It had merely tended to perpetuate poverty and pauperism, and had made the Irish people to depend upon the British connection in the most unhealthy manner. They lived like poor relations upon the charity of a rich relative. Such a connection destroyed all sense of manly independence in the people. It had undermined their moral character, and had had no permanent effect in improving their material condition. That was the case because no real statesmanlike effort had been made to grapple with the difficulty, which consisted of over-population, or, what was the same thing, want of employment, and in consequence excessive competition. Every statesman recognized this fact; but no Government had as yet propounded a remedy. The Land Act of 1881 would do no earthly good in this direction; indeed, the legislation of the last 12 years had increased the evil. The security granted by the Act of 1881 to tenant-farmers might induce them to lay out more capital and labour upon the land, and might make them more contented; but there was nothing in that Act that could possibly reduce the excessive competition for land. Either employment must be found for the people at home, or they must be assisted to move to localities where employment awaited them. It appeared as if all Governments dreaded the unpopularity with which schemes of emigration were looked upon by employers of labour who were voters, and as if they feared to be accused of violating economic laws or wasting public money by endeavouring to create employment at home. They had, therefore, adopted a middle course, and endeavoured to meet exceptional distress by temporary measures, which merely demoralized the people, and did no good whatever. He had said in his Notice that emigration was desirable under any circumstances; but he did not wish to commit himself to the opinion that emigration was the only effective measure that could be tried. Many other measures were suggested; some altogether bad, some good. They had heard a great deal about migration and reclamation of waste lands. In his opinion, such schemes could not be of the slightest use. In the first place, the amount of really waste land was not very great in Ireland. Nearly all the land commonly called waste land was grazed over by sheep or cattle. Such land was sometimes described as improvable waste land; but he did not believe it could be improved by being turned from pasture to tillage by a large expenditure of public money. Tillage was a declining industry; and it was, therefore, contrary to common sense to lay out a great deal of capital upon it. In the second place, if it were undertaken, it would undoubtedly cost a great deal of money, and it would do no good. It might afford temporary relief to the congested areas; but ultimately it would only increase the size of the areas of congestion. The families planted upon the reclaimed lands would increase and multiply. Sub-division into minute holdings would take place. The land would always be poor in quality, and after a few years the suffering now confined to a few districts on the sea coast would be extended over other parts of the country. Moreover, the people who had grazing rights over these waste lands would be unwilling to give them up, and it was difficult to see on what plea of justice or necessity they should be deprived of them. But if the grazing capabilities of these lands could be increased by the employment of public money in drainage, then he had no doubt the expenditure would be repaid, if not directly, at all events indirectly, by the increased prosperity of the country. If, however, a large sum of money was to be expended upon public works, it would be most profitably employed in making roads and narrow-gauge railways, by tapping the fisheries of the sea coast, and developing the resources of the country. Much had been said about the undeveloped wealth which lay in the sea; and a considerable sum of money had been granted from the Consolidated Fund and other sources to build piers, and to make small gifts and loans to Irish fishermen on the West Coast. As far as any practical results had followed, the money might just as well have been thrown into the sea. It was sometimes said that Celts never took kindly to the sea, and that the Irish fisheries were consequently neglected. That was not so. The Celts in Scotland, Cornwall, and the Isle of Man were first-rate fishermen; and the Irish Celts on the West Coast did the best they could with the means at their disposal. But they could not cope with the natural difficulties they had to encounter. The Western Coast of Ireland was the most tempestuous coast in the world, and the fisheries could only be carried on in powerful boats. They required large capital and expensive plant and a race of experienced fishermen. None of these requisites were to be found in Ireland, and they could only be supplied by inducing English boats to fish Irish waters. If the Government desired to develop the fisheries they must give aids or bounties, in some shape or other, in consideration that the vessels fishing those grounds should employ a certain number of local native Irish apprentices. By this means a race of experienced native fishermen would be created, and the vexed question of the value of the fisheries would be solved. If the fisheries turned out to be remunerative private enterprize might be relied upon, after a time, to carry them on. But private enterprize would never start them; the difficulties in the way were too great. He did not say such a scheme ought to be carried out, but it would be effectual; while to spend money in loans to fishermen was wasting money. The absence of manufactures was a topic on which he would merely touch. Everybody knew that they had existed at one time, and that they were put down because they interfered with the interests of English manufacturers; and, in his opinion, they could not be re-created. How could any man expect them to revive until the country was governed on some continuous system? So long as experiments with Radical theories were tried upon that unfortunate country, they need not expect the industrial resources could be revived. Ireland, too, laboured under great natural disadvantages. He remembered a speech delivered two years ago by Mr. Bright in which he commented upon the absence of manufactures in Ireland, and dilated with enthusiasm upon her magnificent water power. Mr. Bright happened incidentally to mention later on that he knew no disadvantage under which Ireland laboured, except that she did not possess so good a supply of coal as Great Britain. That, however, made all the difference. What would Great Britain be without coal? Mr. Bright asked why, in the name of common sense, not one single manufacture of any importance had been established in Ireland in the last 100 years? He (the Earl of Dunraven) would say—How, in the name of common sense, could you expect manufactures in a country where they were systematically suppressed, and where there was no security for property, and no stability of government? Though he acknowledged the strength of the argument that, as manufactures did spring spontaneously from Irish soil and were killed by the short-sighted selfishness of English manufacturers and mill-owners, and that, therefore, they might be revived, he was convinced that the water power of Ireland could not compete with the steam power of England, and did not believe that any effort to create large manufactures would be successful. He took a much more hopeful view of the possibility of creating small industries. There was an immense quantity of material more or less made up imported into London from various foreign localities, all of which could perfectly well be made in Ireland. All kinds of knitted goods, basket work, wood carving, embroidery, and lace were supplied by Germany, Switzerland, and Austria, and even from so far as the Island of Madeira, and might be produced in Ireland. In Austria a regular trade had been created in this class of goods by the assistance of the Government, and a considerable population in certain localities had been lifted out of extreme destitution into a condition of fair prosperity. The Irish people were eminently adapted to this kind of work; but they must be helped and taught. Technical instruction must be given to them and material supplied—in fact, the State must undertake the duties of an agent and instructor for a time. It must put the people of those Western districts of Ireland into communication with the wholesale dealers in London, and must provide them with technical instruction, tools, and material. It might be urged that if there was so much demand for this class of goods, and if they could be supplied as cheaply or cheaper in Ireland than elsewhere, why was it that Ireland did not already supply them? The facts were —first, that there was no capital, no security was felt by small capitalists, and they had no incentive to energy; secondly, the Irish people seemed to be incapable of originating. Any man who had had experience in Ireland would agree with him that no people were more intelligent or quick to learn, or were possessed of greater dexterity. He knew himself by experience how easily a common mason or rough carpenter could be turned into a skilled artizan, a cunning carver of wood and stone. The people had all the inherent qualities necessary for success in industries where quick fingers and intelligent brains were required, but had not the qualities enabling them to take the initiative and create work for themselves. It might be objected that State assistance in the shape of technical education, providing tools, material, and so on was in violation of Free Trade principles. So it was to a certain extent;

but they did not pretend to carry out Free Trade principles to the bitter end. Moreover, Ireland was in an artificial condition and required State help. There was no capital in the country, and capital would not flow into the country; and if the State would not undertake the matter there was no chance whatever of improvement. He did not believe that in any other way could public money be so well applied as in fostering home industries. Laying out public money in schemes of reclamation and migration would be wrong in every sense. It would not permanently improve the condition of the people. It would be sinking money in a declining trade, and it would be forcing the people into an occupation for which they were not by nature well adapted. The Irish were not an agricultural people. They were, of course, all engaged in agriculture in Ireland, because there was, practically speaking, no other way in which they could make a living; but when they found themselves in a country where other openings existed they distinctly showed their preference for other trades. There were great numbers of Irish resident in England. None of them were engaged upon the cultivation of the land. According to the Census of 1870, the number of native Irishmen in the United States was about 2,000,000, and of these only 38,425 were engaged in agriculture, though there could be no doubt that the great bulk of these 2,000,000 were composed of agricultural labourers and small farmers. If home industries were started and fostered for a sufficient time to get firmly rooted in the country, the people would take to them readily, and by that means good would be done. The precarious living which small farmers made out of the soil would be supplemented by the produce of their own labour at home, and of that of their families. Money begat money, and trade created trade; and in the course of time, provided always that Ireland enjoyed a period of good government and peace, and that capital was enticed back to the country, larger manufacturing industries might possibly spring up if the circumstances of the country should permit. If nothing was to be done in the direction he had indicated, then emigration on a large scale was an imperious necessity. Even if the Government did endeavour to provide employment at home, still emigration was desirable and necessary, because the evils of congestion and over-competition were pressing, and it must take some time before the good effects of the encouragement of industries could make themselves felt. A certain amount of emigration was promoted by private individuals, as in the case of Mr. Tuke; but it was impossible for any private individuals, or society of individuals, to make any real impression upon the mass of misery that called for relief; and the assistance offered by Government up to the present was insufficient. Emigration must be undertaken by the State in a large and generous spirit. He was strongly of opinion that emigration should be directed to the Colonies, and for several reasons. The bulk of Irish emigration would always be across the Atlantic. State-aided emigration should be to Canada, because the Government could, by putting itself into communication with the Canadian Government, or with responsible persons or Corporations in Canada, obtain additional security for money advanced, could see that emigrants were properly looked after on landing, were conveyed with all possible comfort to their destination, and were fairly established there. It was to the advantage of the emigrant to go to Canada. It was obviously to the advantage of Canada, and it was to the advantage of Great Britain also. In assisting to develop Canada, we were increasing the purchasing power of our customers, of a people who bought largely from us. The increase of the United States was comparatively of no importance to us. It made a great practical difference to the working classes at home if a man emigrated to the United States or to Canada. In the latter case, he continued to buy from us; whatever he was worth in any respect remained to the credit of the British Empire. But, in the former case, he was as much lost to us as though he were dead. There were other reasons why emigration should be to the Colonies. The Irish in the States were most unreasonably inclined to think that the prosperity they enjoyed there was owing to their escape from the British yoke. In the Colonies they found, at any rate, equal prosperity under the British Flag. From motives of humanity and prudence emigration should be as, far as possible, by families. The break up of family ties caused great and unnecessary pain; and it was not just or right that the bread-winner should be encouraged to emigrate, leaving those naturally dependent upon him to be a charge to the community. There was another reason, and a vitally important one, why emigration should be conducted on a considerable scale by the State. In emigration, if left alone, the principle of selection operated with most fatal effect upon the community at home. The strongest, the most intelligent men went. The feeble, the idle, the ignorant and stupid, all who were incapable of or indisposed to active exertion, stayed at home, and thus the country deteriorated in physique and moral character generation after generation. Emigration should be conducted on a large scale, and under such conditions as would induce some of the small and utterly broken tenants to leave. At present it was almost impossible to induce men who occupied small patches of poor land, on which they lived in a state of semi-starvation, to emigrate. They preferred misery, to which they were accustomed, to the uncertainty of settling in a new country. The feeling of uncertainty, which, as matters stood, naturally made them dread going out to a new country, should be removed as far as possible. Of course, there were various obstacles in the way of any such scheme as he suggested. It was opposed by the Roman Catholic hierarchy—a fact most deeply to be deplored. He could understand and sympathize with the objection that Bishops and priests had that their flocks should be taken from their influence and subjected to the demoralizing influences of great towns. All such danger could be avoided by a properly conducted system of emigration to Canada. But as regarded emigration as a principle, he could not sympathize in the least with the priesthood in the dislike with which they regarded it. He looked upon it as the most merciful means provided for us, whereby misery and vice might be abated, and some of the worst consequences of civilization avoided. The great problem of the time was, how to prevent the pressure of population upon means of subsistence caused by the effect of civilization upon the rough and cruel means whereby nature checked population. To solve the problem they must rely, to a great extent, upon emigration. It was lamentable to reflect upon the pauperized, miserable lives led by thousands in the West of Ireland, and to contrast it with the comparative wealth that was waiting for them across the Atlantic. Emigration would prove the greatest blessing to those emigrating and to those who remained behind. It was surely the duty of a Government to encourage a movement so desirable by every legitimate means. He was not inclined to take an over sanguine view of the future of Ireland. He thought it wiser to abstain from glowing prophecies when he reflected upon the bright anticipations formed by the Government in 1871, and compared them with the actual condition of the country. It was not wise to prophesy. He expected no wonderful and immediate transformation to be wrought by any means. He had a strong conviction that much benefit would result from the introduction and fostering of small home industries; and he was perfectly certain that a well-considered large scheme of emigration, sufficient to relieve local congestion, to reduce extreme competition, and to produce a fairer balance between the supply and demand for land and labour, was most desirable, and, in fact, absolutely necessary. With such plans as these in operation there would be some ground for looking forward to a better state of things in the future, provided always that Ireland had an efficient system of Government and that law and order were maintained. He was, as a rule, strongly opposed to the principle of State interference. But there were exceptions to every rule, and he begged their Lordships to consider that he was only recommending a change in the method whereby they interfered. All gifts, all loans at exceptionally low rates of interest, were distinct instances of State interference. The State was constantly interfering on behalf of Ireland. But it interfered in a wasteful manner, and in a way that did no real good. He ventured to think that by encouraging small home industries and emigration, interference would be limited, and would prove of real and lasting benefit to the country. He begged to move the Motion which stood in his name.

*Moved* to resolve—

"That this House, while desiring to impress upon the Government the necessity of securing sufficient relief for the suffering population in certain parts of Ireland, is of opinion that a large scheme of emigration is desirable to prevent the recurrence of similar distress."—(*The Earl of Dunraven.*)

THE MARQUESS OF LANSDOWNE said, that his noble Friend (the Earl of Dunraven) had directed their attention to a subject of great interest; it was one of the most important of that group of Irish subjects which, from time to time, came before their Lordships' House. There was one consideration from which his noble Friend might draw a few grains of comfort. Whatever opinion their Lordships might entertain with regard to his noble Friend's conclusions, there could be very little difference respecting the facts from which he had drawn them. Ireland was a country without manufactures, without coal, and almost without mineral resources. The climate did not lend itself to the cultivation of crops usually associated with a thick population. But, in spite of that, the population was denser than that of any European country, except those in which extensive industries and manufactures prevailed. He had observed an interesting statement on this point, to which he would refer. Spain had a population of 90 to the square mile, Portugal 120, Denmark 130, Austria 150, and Switzerland 170 to the square mile. The population of the whole of Europe, excluding Russia, was 125 to the square mile, while in Ireland there were 170, or, excluding lands officially returned as waste, 208 to the square mile. That one fact spoke volumes in favour of the view taken by his noble Friend. Then there was a question as to the size of the holdings. Out of a total of 600,000, 400,000 were below £10 a-year Poor Law valuation, and of these 220,000 were below £4. Of a large number of these small holdings, it had been admitted again and again that if they were held rent free the tenants would still live in a state of chronic misery. But behind this class there were the labourers, whose lamentable plight his noble Friend had described the other evening. In the course of that debate the Lord President took rather a sanguine view of the prospects of the labourers. He felt some doubt as to the justice of that view, because they could not look forward, he was afraid, in the future to any very large expenditure of capital by Irish landlords in employing labour, and because he believed that the larger farmers would be slow to locate labourers on their holdings from a dread that they in turn would endeavour to obtain concessions at their expense. But what had been the result of this state of things hitherto? Just as this country did not go through five years without a "little war," so Ireland, in the same period, always suffered from a little famine. If these districts showed any signs of improvement, the prospect would not be so serious; but it was a remarkable fact that, while the rest of Ireland had undoubtedly made considerable progress, they had remained much in the same condition as that in which they had been for the last 30 or 40 years. He did not know whether their Lordships had observed a statement of Professor Baldwin, made before the Richmond Commission. It was a remarkable one. He said—

> "What I should like to convey is that there has been in Ireland a considerable growth of wealth and of the middle class—which is a remarkable feature—sprung from the farming class, but also that the increase of wealth has been confined to them, and has not gone down to the small farmers. Those men whose holdings are small are in as bad a position as they were 40 years ago. I think my colleague will agree with me in that."

He would then for a moment draw their attention to the incidence of poor rates. He would take three out of the five Unions originally scheduled in the Arrears Act of last year. In Clifden, on a total valuation of £25,000, the rates were 5*s.* 5½*d.* In Newport, on a Poor Law valuation of £13,000, the rates were 6*s.* 5*d.*; and in Belmullet, where the valuation was only £11,000, the rates were 11*s.* 0½*d.* By whom were these rates paid? Either by the tenants themselves, who were on the borders of insolvency, or in the case of the small holdings, below £4, by the landlords, who were, in many cases, unable to meet the charges to which their property was subject. In Mayo, Donegal, and Galway, 50 per cent of the holdings were under £4 valuation. In all those cases the rates had to be paid by the unfortunate owners. He had said that there had been no improvement; but it was a question whether the people in those parts of Ireland were not going from bad to worse. There were, certainly, two facts which justified that conclusion. One was the falling-off in the

English demand for agricultural labour, induced, probably, by recent events which had happened in Ireland, and the other was the gradual deterioration of the potato crop on which the people depended. In these circumstances, the conclusion appeared to be inevitable that the people could not be left as they were, but that something must be done in order not merely to afford temporary alleviation of their condition, but in order to make it permanently better. He listened with attention to what fell from his noble Friend in regard to public works. His noble Friend had drawn a sound distinction between works intended permanently to develop the resources of the country and those resorted to merely as an expedient for finding work for the superfluous population. Now, while a good deal was to be said in favour of the former kind of public works, he must express his satisfaction that the Irish Government had steadfastly set their faces against recourse to the latter. He had the profoundest suspicion of schemes, no matter how well intended, for the reclamation of unprofitable bogs, the development of apocryphal fisheries, and the institution of small manufactures of objects interesting in themselves, but of no value towards the improvement and the material prosperity of the country. All those schemes were calculated to develop the worst characteristics of the Irish character—namely, dependence and improvidence. They had the further great drawback that they effectually demoralized all private effort while they were in operation; and, worst of all, they effectually put a stop to any scheme for the real and permanent improvement of the condition of the country by relieving it of superfluous population. While he approved of the action of the Government with regard to certain classes of public works, he must, in passing, commend Earl Spencer for the decision with which he had resisted all attempts to extort from him a relaxation of the regulations under which Poor Law relief was administered. He might appeal to those who had had experience of Poor Law Boards, either in England or Ireland, whether it was not often impossible to induce the average rural Board of Guardians to grasp the intricate economical problems which underlay the apparently simple questions brought before them. In Ireland the prospect in regard to outdoor relief was already a very serious one. The Returns of the Local Government Board showed that in 1855 there were only 655 persons receiving outdoor relief. Twenty years later, in 1875, the number had sprung up to 30,000, and last year it was no fewer than 60,000. Taking the sum expended on outdoor relief in 1861, it was about £10,000; in 1871 about £70,000, and in 1881 about £182,000. With those figures before them, and considering that they were likely to have a change in the law of rating which would probably diminish the incentives to prudent administration on the part of the Guardians of the different electoral divisions, and looking forward, also, to possible changes in the whole system of local government in Ireland, and remembering what the conduct of some of the Boards of Guardians in Ireland had been, he thought it would be sheer madness at this moment to relax the law in the direction of increasing the facilities for outdoor relief, or to educate the people further in the mischievous belief that while there was disgrace attached to entrance into the workhouse there was nothing discreditable in living at the expense of their neighbours outside its walls. The facts he had mentioned pointed to the conclusion that it was absolutely necessary to remove from those congested districts some part of their population. He concurred in what his noble Friend had said as to the unwisdom of attempting to remove it, not out of Ireland, but to other districts within the confines of that country. He believed that the vacant spaces of which they heard so much, and to which the superfluous residents in the Western districts were to be transferred, existed only in the imagination of the enthusiasts who recommended such schemes. He doubted whether there were in the whole country 100,000 acres which could with advantage be appropriated in that manner. He was aware that there was in Ireland a great deal of improvable land—mostly of rough pasture land; but it was not suitable for tillage. Moreover, the whole of the land which came under that category was already occupied; and if they wished to raise the whole country against them they would deprive the existing tenants of those rough hillside pastures, in order to plant upon them the surplus population from other parts of Ireland. When he saw those recommendations made by those who were the champions of security of tenure, there seemed to him to be something grotesque about them. It was an insult to their understanding to propose such a project, when there was on the other side of the Atlantic a boundless territory, only awaiting successful cultivation from those who might eventually find a home there. He had always supported any well-considered scheme for an increase in the number of proprietors of land in Ireland; but if they wished to secure the failure of such a scheme they could not do better than transport the small Connemara tenants and give them 20-acre lots on a barren hillside in other parts of Ireland, and make them, at the same time, tenants under the Government. If, then, there was a population that could not live, and there was no hope for them in a scheme for the reclamation of land or in the establishment of manufactures—if they could not remove that population to other parts of Ireland without the evils to which he had referred, surely it followed, almost as a mathematical demonstration, that the only thing to be done was to emigrate them altogether. He entirely agreed with his noble Friend in earnestly pressing on the Government the necessity of leaving no effort unmade to carry their emigration scheme to a successful conclusion. He did not complain in any sense of what the Government had done, or express himself impatient of the somewhat slow progress which had been made. He was aware of the immense difficulty attending the matter of emigration, and he knew how fatal any hasty or reckless steps at the outset would be. He was, therefore, not surprised that the Irish Executive had taken "*Festina lente*" as their motto on that subject. But, on the other hand, if any serious results were to be attained, they must look forward to a very wide extension of the operations of the Government in that direction. He believed that both of the financial limits laid down in the Arrears Act—namely, £100,000—as the total sum that might be applied to emigration, and £5 per head for each emigrant, would have to be exceeded. The Secretary of State for the Colonies (the Earl of Derby), when he was on the eve of accepting Office, told his audience that if Parliament and the Cabinet could be induced to spend some millions on emigration, the money would be well laid out. He did not go as far as some millions at present; but he trusted that the more liberal estimate of the noble Earl might be kept in view, rather than the sum contemplated by the Arrears Act. Again, the allowance of £5 per head was in some cases very liberal; but in others he honestly believed that it fell short of the necessary amount. As far as he could ascertain, the cost of transport for an emigrant, if they included the expense of removing him from his home to the port of embarkation and across the Atlantic, also the overland journey on the other side, his outfit, and providing him with a bare pittance to have in his pocket when he landed, would amount to somewhere about £9. In the insolvent Unions which he had mentioned, he did not see how they could expect the Poor Law Guardians to incur a further liability in respect of that £4, which would be the difference between the £5 Government limit and the total expense incurred in carrying out an extensive emigration. Again, the expense per head of emigration was likely to increase. The first emigrants might possibly be received in districts near the seaboard; but in process of time the requirements of those districts would have been complied with, and it would be necessary to remove the emigrants further inland, and that added to the cost. He had been told that the whole of the first batch of Canadian emigrants was likely to be disposed of in districts close to the sea, and in some of the older settlements; but the demand there was very limited, and the time would soon come when it would be necessary for them to go to Manitoba, or possibly some remoter district, and the expense would thus be enormously increased. He hoped, therefore, that the Government would consider whether, in some cases, the limit of £5 per head might not be properly relaxed. He had heard with pleasure his noble Friend's reference to the Dominion of Canada. If the question of emigration was to be handled in a statesmanlike manner, they should do their best to direct the stream of emigrants not towards the disloyal Irish population settled in some of the American States, but towards the loyal subjects of Her Majesty now settled in the

Dominion of Canada. He regretted the alterations that had been made in Clause 26 of the Land Act of 1881, which, as originally introduced, gave a preference to Canada. He believed that, with tact, courage, and liberality, it would be possible to set flowing a steady stream of emigration from the congested districts; and that, with a liberal expenditure of money, the result would be profitable, not only to Ireland, but to this country. Holding, as he did, those opinions, he cordially supported his noble Friend in pressing this question on the Government.

LORD MONTEAGLE said, that while he hoped the Government would take into consideration the suggestions of the noble Earl (the Earl of Dunraven) as to providing some means of encouraging Irish industries, he trusted that the noble Marquess (the Marquess of Lansdowne) would not continue the opposition which he had displayed towards the noble Earl's proposals to-night. There was no guarantee that the mere removal of the people from these districts would prevent similar distress arising in future. He should be sorry to say anything in disparagement of the system of emigration that had been proposed; but, looking back at the state of things 30 or 40 years ago, he thought that, if nothing was done to mitigate the position of these people but emigrating them, there was some danger of similar evils again arising. The present condition of things had been known in Ireland before; and in 1846 and 1847, the years of the great Famine, there was, in consequence of that visitation, a very large diminution of population throughout the whole of Ireland, and very markedly in those districts where distress now existed. This distress was chiefly found in the Province of Connaught, in the Counties of Mayo and Galway; and the district suffering the most severely was that on the seaboard on the coasts of Galway where Mr. Tuke's Committee was at work. In conclusion, he would express the hope that the Government would consider the possibility of encouraging the fisheries and other local industries of the country.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, that there had been so little controversy in the speech of the noble Earl who made this Motion, that it was not necessary for him to detain their Lordships at any length. There was very little in the speech of his noble Friend with which he could quarrel—in fact, he had thought there would be nothing at all; but his noble Friend could not resist the temptation which usually beset him, and accordingly he made his usual attack on the land legislation of the year before last. He might say, in passing, that he was very far from accepting the account his noble Friend had given of that legislation. His noble Friend had treated the Land Law Act of 1881 as a piece of Radical theory forced on Ireland without necessity, and as a great hindrance to the prosperity and interests of that country. He, on the contrary, held it to be a most practical piece of legislation—a measure of Radical reform in the laws affecting that country, carefully adapted to the necessities of the case, and a measure which was a condition *sine quâ non* to the success of all other measures tending to the improvement of the country. In some other remarks of his noble Friend he could quite agree. He agreed that investment and enterprize could only flourish under conditions of peace, order, and good government. Well, the Government were using all the efforts in their power to restore that state of things. With regard to the distress prevailing in some parts of Ireland, the noble Earl naturally asked him to give him the latest information the Government had received as to the condition of the distressed districts. He was happy to say that, on the whole, that information was of a satisfactory kind. There could be no doubt that distress and severe suffering did exist in Ireland, but it was distress of a strictly partial and local kind, and confined within narrow limits; and the condition of the people that did prevail had been—the Government were informed on the best authority—largely mitigated within the last few weeks. The Reports which the Government had obtained stated that the condition and prospects of these districts were decidedly better. They stated that, partly under the influence of the fine weather, labour was generally plentiful; that an unusually large amount of employment had been provided; and that under these influences, as well as owing to the charitable relief which had been administered in the distressed districts—especially the supply of seed potatoes—

the great pressure of distress had been sensibly lessened. He might say, almost in the words of the noble Marquess, that the firm course taken by Earl Spencer and the Irish Government, in resolving to depend upon the action of the Poor Law in contending with this distress, had so far been rewarded with success. The powers of the Local Government Board of Ireland had been exercised in the most careful, considerate, and vigilant manner. Special Inspectors had been appointed by the Board, and special relieving officers in some of the worst Unions had also been employed, so that the ordinary powers of the Poor Law, although not exceeded, had been applied in the most effective and vigorous manner. The result was one with which the Government had every reason to be satisfied. But the real object of his noble Friend's Motion was to raise the question as to what was the best mode of dealing, not with the temporary distress that now prevailed, but with the state of ever-recurring distress and semi-starvation which, it was admitted, was to be expected in the crowded and poverty-stricken districts of the West of Ireland. Several remedies had been put forward by the noble Earl. If the noble Earl had advocated a great system of reclamation and migration for the purpose of alleviating distress he would have been prepared to enter the lists with him, for it was a matter to which he had paid some attention. But the noble Earl and the noble Marquess had come to the conclusion that those were not the means to which they could look for the permanent improvement of the distressed districts of Ireland. The views of the Government on the subject were plain enough. By legislation now in force any Company or body formed for the purpose of reclamation and migration—for the two things could not be separated—could obtain Government aid if it could produce a plan satisfactory to Government. But no such plan had been laid before the Government. A much more hopeful prospect had been opened by recent legislation, which had provided that occupiers of land in Ireland might obtain loans for the purpose of reclaiming the wild and semi-wild land they held attached to their farms, and for all similar purposes. Some considerable beginning had been made in this direction. The last Return showed that the amount of money applied for had been about £261,000; of that sum £96,000 had been sanctioned or recommended by the Board of Works in Ireland; and a further sum of £118,000 was now under inquiry. Some £22,000 had been actually advanced, so that a real beginning had been made, and he hoped much more would be done. Her Majesty's Government, had, however, been pressed from various quarters to go far beyond these provisions, and to undertake themselves some great plan for the reclamation of the waste land in Ireland, and the migration to it of a large number of poverty-stricken families. A very interesting plan of that kind was laid first before Her Majesty's Government, and then before the House of Commons, by Mr. O'Connor Power. That plan was very closely examined by the Government; but they were not able to see their way to undertake it with any confidence in its success. A great deal of evidence had of late years been taken with reference to reclamation and migration, especially by the Bessborough Commission, which reported that they were not able to see their way to recommend the adoption of any scheme of the kind. He was especially struck by what was said by one of the Commissioners, a sagacious and experienced Irish gentleman—The O'Conor Don—who stated that he had looked into the subject with a strong anxiety to find some way to deal with it, but that he had been obliged to admit that no plan had been brought to his notice, and no information given him, which could enable him to recommend any course of that kind. One witness before the Commission stated that reclamation and migration were all very well; but the difficulty was that he could find no land to be reclaimed, and no regions to which the people could be migrated. He explained himself by saying that all the waste land to which the distressed families were to be migrated was already in the occupation of tenants. Many other witnesses also said that, although this land was well capable of improvement, yet that it was of the greatest importance to the tenants who held it, and they had no idea of surrendering it to anyone else. Therefore, so far as he could see, all the best authorities, including that high authority, Sir Richard Griffith, were of opinion that, although there was a great deal of these waste lands—generally mountain lands—capable of improvement as grazing land, especially by drainage, yet it was by no means fitted to be cut up into small tillage farms for small tenants from other districts. That being the doubtful character of these plans of reclamation and migration, Her Majesty's Government had not been able to see their way to adopt any scheme of their own, and no proposal had yet been made to them by any public body or Company under the provisions of the Land Act. If any such proposal were made it would have the careful consideration of the Government. He would like to say that his unfavourable and unhopeful view of these schemes for reclamation and migration was not due to any theory he entertained as regarded the application to Ireland of the doctrine of *laissez faire* and absolute devotion to private enterprize. Speaking for himself, he might say that he did not put aside these plans for the sake of any theory of that kind. The doctrine of trusting absolutely to private enterprize for everything might be admirably adapted to this country—far more adapted, indeed, to this than to any other country in the world, except the United States; but it did not at all follow that it was adapted to the needs of Ireland. He could readily conceive that there were many things which the State could usefully do, or assist in doing, for the good of Ireland—such as the arterial drainage of the country, and the improvement of the means of communication. Road-making in a wild or semi-wild country had always been considered one of the highest works of civilization. Coming to the main subject of his noble Friend's Motion — that of emigration — he was able in substance to agree thoroughly with what had been said by him and by the noble Marquess. Her Majesty's Government agreed with him that emigration must be looked to as the best and the inevitable remedy for the permanent distress of the crowded, congested, and poverty-stricken districts of Ireland. Her Majesty's Government, acting entirely in the spirit which had been so fairly and considerately described by the noble Marquess, felt that they had no right to attempt to force emigration upon the people of those districts. Nor was it necessary. It was most desirable that no excuse should be given for those suspicions which were endeavoured to be excited in the minds of the people by the violent speeches which had been made against emigration, although no reason could be given to the people for entertaining suspicions of the motives of the Government, who could only desire the good both of those who crossed the Atlantic and those who remained. Her Majesty's Government also felt that, so far as State aid was concerned, they could not allow emigration to take place except under the most rigorous conditions as to the safety, comfort, and health of the emigrants who were to be sent, family by family, across the Atlantic. In that way the Government felt assured they would be entirely carrying out the wishes and fulfilling the hopes of these poor people themselves. And he should like to remind their Lordships of the striking fact that although emigration had gone on for the last 30 years from Ireland, as a whole, to so large an extent, yet it had least affected or benefited those particular districts where it was most needed. Those districts of Ireland where the people were somewhat better off, where they had somewhat more means and more spirit, had done much more in the way of emigration than those unfortunate districts in the West, where it was most required. That was clearly shown by the figures. From the Returns of emigration for the years from 1851 to the end of 1882, he found that whereas the number of emigrants in those years who had gone from the Province of Munster amounted to 63 per cent of the population, and from the whole of the Province of Ulster 44 per cent of the population, yet the proportion who had gone from the poor and crowded districts of Donegal represented only 37 per cent, of Mayo only 35 per cent, and Sligo only 34 per cent of the population. A very good beginning, but only a beginning, had been made in the way of emigration already, principally by the admirable exertions of Mr. Tuke and the benevolent people who had associated themselves with him. He wished the benevolent and wealthy people of this country would associate themselves with Mr. Tuke in that praiseworthy work on a much larger scale. He was glad also to be able to say that offers had lately been made to the Government, upon a large scale and of a very hopeful and promising kind, for the removal of a very considerable number of selected families from the West of Ireland to be settled upon land in America. He quite agreed with the noble Earl who made the Motion that there were many advantages in the settlement of these people upon the waste lands of Canada rather than in the United States. It would be premature for him to state the particulars of the plan to which he alluded; but they were of a genuine and important kind, and, in the view of the Government, were full of hope and promise. Agreeing so entirely in substance with the Motion, he did not think the noble Earl should ask the House to vote upon it. It would be impossible for him to vote against his noble Friend; but a division upon such a subject in these circumstances would not represent the feelings of the House, and he hoped the noble Earl would be satisfied with what had been stated on behalf of the Government, and not press his Motion.

Earl FORTESCUE said, he was glad to hear that the Government concurred in the suggestions of the noble Earl who had submitted this Motion to the House. He regarded the statement of the Lord President as the most satisfactory that had ever been made by any Member of the Government on the subject of Ireland. He only wished that in the debates on the Land Bill they had had Members of the Government holding as sound views with regard to the fatuity of the expectation that any good would be done by those clauses so ostentatiously put forth for the reclamation of waste-land and probable migration from congested districts in Ireland. He doubted, however, whether their Lordships or the country would find much satisfaction or hope in the statement that the Irish tenants were making application to the Government for loans.

The Earl of DONOUGHMORE said, he concurred in the opinion that emigration was practically the one solution of the difficulty that existed in Ireland. He gave it as the result of his experience that there was a great wish among the poorer people to emigrate if they had really any chance of getting away comfortably, and of being comfortably settled when they reached a new land. He expressed his statisfaction to hear the preference expressed for our own Colonies as the home of future emigrants. He had seen both Australia and Canada; and, as regarded the former country, the Irish Colony in Australia was as different from their brethren who were causing so much trouble at home as it was possible to imagine; while he had heard from Canadian gentlemen, on his visit to that country, that the Irish emigrants, when settled in Canada and mixed up with the emigrants of other races, once the influence of example was brought to bear upon them, and their national pride and spirit of emulation was stirred up, turned out the most useful members of the Colony. He was sorry to hear from the noble Lord opposite (Lord Carlingford) that he did not see his way clear to assent to the Motion, which did not involve very much.

Lord ORANMORE and BROWNE said, he believed the distress existing in Ireland had been much exaggerated, though he felt sure, from what he had heard, that there would be distress in the country during the summer that would require close attention.

The Earl of DUNRAVEN said, that after what had fallen from the Lord President of the Council he would not press the Motion. He hoped, however, that the Government would comprehensively deal with the question of emigration.

Motion (by leave of the House) *withdrawn.*

## CONTEMPTS OF COURT BILL.—(No. 15.)

(*The Lord Chancellor.*)

### COMMITTEE.

House in Committee (according to order).

Clauses 1 to 15, inclusive, *agreed to*, with Amendments.

Clause 16 (Order of deprivation against holder of any office).

Amendment *moved*, "To omit Clause 16."—(*The Lord Chancellor.*)

Lord ORANMORE and BROWNE said, that, as far as he understood the clause, it agreed with two Bills which their Lordships passed during the last two Sessions, but which did not pass the other House. The clause was inserted in the Bill for the purpose of compelling clergymen to obey the law; and if they did not do so they would be punished for contempt, and be deprived of their livings. He should like to know the reasons why the noble and learned Earl (the Lord Chancellor) now considered it wise to withdraw the clause. If it was withdrawn, a contumacious clergyman—a clergyman who had been suspended, or whose living had been sequestered, might set the law at defiance. It was perfectly absurd to think that a great institution such as the Church of England could long exist if they left the law in such a state that a clergyman might set himself above it—that was to say, they would be able to break the law, and go without punishment, and he could not conceive that any true friend of the Church would wish it to be placed in so false a position. Every day almost they heard of cases of brawling; but he thought that a clergyman who persisted in performing service, though suspended by the authorities of the Church from doing so, was equally a brawler, and for the sake of the Church itself this difficulty should be met. The omission of this clause would make some churches purely congregational, each teaching such doctrines and using such ceremonies as were agreeable to the incumbent; and, by so doing, they would cease to be a part of the Church of England. He hoped, therefore, the noble and learned Earl would give some good reasons for withdrawing it.

The LORD CHANCELLOR said, he agreed that the disorders which had taken place in certain churches should be prevented, and that some means should be found for effectually putting an end to them. On the second reading he had stated reasons for withdrawing this clause from the Bill. One reason was that the Bill was for limiting, and not for extending, the penalties of contempt. It limited the maximum fine which could be inflicted to £500; and it seemed inconsistent, merely as a punishment for that offence, to go further, and also deprive the offender of his whole livelihood. If clergymen or others persisted in a course of contumacy, and did things which were inconsistent with their duty, they might, in any proper case, be deprived, but not by summary proceeding. The clause did not apply to ecclesiastical offences alone. The whole question of the best means of securing obedience in the Church was now under the consideration of a Royal Commission; and it was thought better, as at no distant date the Commission would make their Report, to leave this breach of that general subject to be dealt with when the Government and Parliament would have all the materials which might result from the inquiries of the Commission before them.

THE MARQUESS OF SALISBURY said, he wished to point out that the course which had been taken by the noble and learned Earl was somewhat inconsistent, as he at first intimated that the necessity for this Bill was caused by the Rev. S. F. Green's case. When that case was mentioned last year it was said that legislation of this character was in contemplation; but now it was proposed to omit the clause which would have prevented such a scandal. He did not blame the noble and learned Earl for omitting the clause, for he thought the provisions of that particular clause were exposed to very serious objections; but he doubted if the noble and learned Earl was taking a wise course, for, in his (the Marquess of Salisbury's) opinion, some protection should be provided in the Bill against the recurrence of such evils. They were told that a Royal Commission was sitting in the Ecclesiastical Courts, and that it was fitting to wait for the Report of that Commission. No doubt, theoretically, that would be quite correct, and it would be proper to wait till they could consider the Report; but the noble and learned Earl appeared to have forgotten the slow pace at which Parliament proceeded with legislation in these matters. He thought it quite possible that new acts of imprisonment of clergymen, which would create much heartburning, might arise, and might very easily result in a schism in the Church; but they might have to wait for years and years before Parliament might find itself sufficiently disengaged to address itself to the necessary reform in ecclesiastical jurisdiction. He could not imagine that such a question could come before them without its creating a formidable controversy both in that and the other House of Parliament. This was not a question in which any Government would be likely to feel an intense interest, so as to induce it to use its influence as a Government to push forward a measure dealing with this subject. He did not rise to express any dissent from the course proposed by the noble and learned Earl, but he felt that they were running considerable risk in hanging up this question; and he hoped that if such an untoward event as the imprisonment of another clergyman again took place, the Government would be prepared at once to deal with the question.

Lord ORANMORE and BROWNE said, he could not see, however great a contempt a clergyman committed, that it would now be possible to imprison him.

The LORD CHANCELLOR said, that a clergyman could, at all events, be imprisoned for successive periods of three months, as often as he repeated his offence.

Amendment *agreed to.*

Clause *struck out* accordingly.

Remaining clauses *agreed to,* with Amendments.

The Report of the Amendments to be received on *Friday* next; and Bill to be *printed* as amended. (No. 45.)

### PARLIAMENT — HOUSE OF LORDS (CONSTRUCTION AND ACCOMMODATION).

#### NOMINATION OF SELECT COMMITTEE.

Select Committee on: The Lords following were named of the Committee:

| | |
|---|---|
| D. Somerset. | V. Cranbrook. |
| Ld. Steward. | L. Vernon. |
| E. Stanhope. | L. Sudeley. |
| E. Carnarvon. | L. Kenry. |
| E. Cairns. | |

The Committee to appoint their own Chairman.

The Earl of MILLTOWN asked whether the Committee would consider the ventilation of the House, which he thought might be considerably improved?

The Marquess of SALISBURY: If we are to consider all the defects of this House in reference to breathing, hearing, and seeing, there will be no end to the Committee's inquiries. I have no doubt that all defects on which suggestions are made to the Committee will be considered and reported on to the House; but I venture to prophesy that not one of them will be corrected.

And, on April 24, the following Lords *added*:—

E. Redesdale. L. Aveland.

### PLURALITIES ACTS AMENDMENT BILL [H.L.]

A Bill to amend the Acts relating to the holding of Benefices in plurality—Was *presented* by The Lord Bishop of Rochester; read 1ª. (No. 42.)

### COURT OF CHANCERY OF LANCASTER BILL [H.L.]

A Bill to further improve the Administration of Justice in the Court of Chancery of the County Palatine of Lancaster—Was *presented* by The Lord Chancellor; read 1ª. (No. 43.)

### MERSEY RIVER (GUNPOWDER) BILL [H.L.]

A Bill to transfer to one of Her Majesty's Principal Secretaries of State the powers vested in the Admiralty and the Board of Ordnance in relation to gunpowder magazines and stores in the River Mersey; and amend the Acts relating to those magazines and stores—Was *presented* by The Earl of Rosebery; read 1ª; and *referred* to the Examiners. (No. 46.)

House adjourned at Seven o'clock, till To-morrow, a quarter past Ten o'clock.

## HOUSE OF COMMONS.

*Monday, 23rd April,* 1883.

---

MINUTES.]—Select Committee—Turnpike Acts Continuance Act, 1882, Mr. Dyke Acland *discharged,* Mr. Lambton *added.*

Private Bill (*by Order*)—*Third Reading*—East London Railway*, and *passed.*

Public Bills—*Ordered—First Reading*—Forest of Dean (Highways) * [148].

*Second Reading* — Parliamentary Oaths Act (1866) Amendment [89] [*First Night*], *debate adjourned;* Customs and Inland Revenue [140], *debate adjourned.*

*Committee—Report*—Isle of Man (Harbours) [101].

### STANDING COMMITTEE ON TRADE, SHIPPING, AND MANUFACTURES.

*Ordered,* That the Standing Committee on Trade, Shipping, and Manufactures have leave to print and circulate with the Votes any amended Clauses of the Bankruptcy Bill from time to time.—(*Mr. Goschen.*)

# QUESTIONS.

## EGYPT—IRRIGATION—DESPATCH OF THE EARL OF DUFFERIN.

MR. CARBUTT asked the Under Secretary of State for Foreign Affairs, What steps the Government are taking to carry out the recommendation contained in Lord Dufferin's Despatch (Egypt, No. 6), with reference to the canalization and irrigation, and also the control and distribution of water in Egypt. On page 54 the following passages occur:—

> "From the foregoing it is evident that the present irrigation service of Egypt is wanting in intelligent direction and honest and efficient inspection. To remedy this defect the Government should seek the assistance of a thoroughly competent engineer, with large experience of irrigation works, and of a staff of thoroughly trustworthy inspectors, to carry out a rigid system of supervision. Egypt is so similar to many of the irrigated districts of India that it is only natural to turn to that country for advice. It would probably be possible to induce the Government of India to spare the services of an experienced officer for the term of five or six years;"

and, whether application has been made to the Indian Government for such an engineer, and with what result?

LORD EDMOND FITZMAURICE: Sir, the names of some Engineer officers who have had great experience in irrigation works in India have been mentioned to Lord Dufferin, as well qualified for the service in question. It is not known whether the Egyptian Government have yet come to any decision as to making an appointment, or as to the emoluments to be attached to it. Lord Granville has been in communication with the India Office on the question.

## COMMONS AND OPEN SPACES (METROPOLIS)—PECKHAM RYE COMMON.

MR. FIRTH asked the Chairman of the Metropolitan Board of Works, Whether it is true that the Board has made bye-laws prohibiting the holding of public meetings on Peckham Rye Common, notwithstanding the fact that such meetings were held there, with the consent of the owners, before the Common was transferred to the Board; and, in whose interest, and for what object, are such prohibitory regulations made?

SIR JAMES M'GAREL-HOGG: Sir, I have to inform the hon. Member that it is quite true that the Metropolitan Board of Works, following the precedent set with regard to other open spaces under their control, have framed a bye-law which received the necessary sanction, prohibiting public meetings on Peckham Rye, except with the previous consent of the Board. The meetings formerly held almost invariably took place on Sundays; and, in many instances, two or three different lecturers were speaking at the same time on different subjects, by which means great disturbance was caused, and the bye-law was framed solely in the interests of the public, who desire orderly proceedings on the Common.

MR. FIRTH asked the Chairman of the Metropolitan Board of Works, Whether the Board have issued, or are about to issue, regulations which have the effect of prohibiting cricket, foot-ball, and all athletic sports upon Blackheath, Peckham Rye Common, and other open spaces in London; and, in whose interest and for what object are such new and prohibiting regulations made?

SIR JAMES M'GAREL-HOGG: Sir, the Metropolitan Board of Works has not issued, nor are they about to issue, regulations which will have the effect of prohibiting cricket, football, and all athletic sports upon Blackheath, Peckham Rye, and other open spaces in London. Such regulations as the Board have made with regard to games on open spaces are merely such as are necessary in the interests of the general public.

## GOVERNMENT LIFE ANNUITANTS—CERTIFICATES—10 GEO. IV., c. 24.

MR. MARJORIBANKS asked Mr. Chancellor of the Exchequer, Whether, having regard to the serious inconvenience often caused to Government life annuitants by the difficulty of obtaining the signatures of the minister of the parish, or of a justice of the peace, to the certificates of existence required by 10 Geo. IV., c. 24, to enable such annuitants to receive the half-yearly payments due to them, he will consider the propriety of accepting as valid the signatures of the clergy of other recognized denominations as well as those of ministers of parishes?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): Sir, I think that there is some, although not much, ground for the suggestion of inconvenience to annuitants which my hon. Friend puts forward in his Question; and if it becomes necessary to amend the Acts which regulate Government Annuities, I should be inclined to modify the section of the Act, which he has quoted, so as to make the rule for certifying the existence of annuitants similar to that in force for certifying the existence of officers on half-pay or retired pay. But I could not, in the present state of Business, undertake to introduce such a Bill.

### POST OFFICE (CONTRACTS)—THE IRISH MAIL SERVICE.

Mr. LEWIS asked the Postmaster General, Whether, in connection with the arrangements and conditions for the proposed new tenders for the Irish Mail Contract, he will have regard to the strongly expressed wishes of the people in the north of Ireland to have the mail service to Dublin substantially accelerated in connection with the English mail, and particularly by including a limited mail train from Portadown to Londonderry at the same rate of speed as that between Belfast and Dublin?

Mr. GRAY: Before the right hon. Gentleman answers the Question, perhaps I may be permitted to supplement it by another—namely, to ask, Whether the Postmaster General will take into his consideration, in connection with the new contract for the mail service between England and Ireland, the revision of the Irish mail service dependent thereon—that is to say, the service to Cork, the service to Limerick, the service to Galway, the service to Wexford and the intermediate towns, so as to secure that the whole Irish mail service should be as efficient as the English mail service; and, also, whether he will, as was done in connection with the former contract, consult the Irish Representative Bodies who are interested in the subject, more especially the Chamber of Commerce of Dublin, so as to obtain their views before any final decision is arrived at?

Mr. FAWCETT: Sir, in reply to the Question addressed to me by the hon. Member for Carlow (Mr. Gray), and to the Question of the hon. Member opposite (Mr. Lewis), I can assure them that the importance of accelerating the mail service, not only to Dublin, but throughout Ireland generally, is fully recognized; and I should be very glad indeed, without pledging myself to any particular kind of acceleration, to give as much acceleration as I find practicable. I can assure the hon. Member for Carlow, as to the last part of his Question, that I shall be very glad to receive a deputation from the Dublin Chamber of Commerce, and to hear both their views, and the views of Irish Members on the subject.

### PUBLIC WORKS DEPARTMENT (INDIA) —CONSULTING ENGINEERS.

Mr. CARBUTT asked the Under Secretary of State for India, If a scheme is at the present time under consideration in India to form a branch of the Public Works Department in India, to be called the "Consulting Engineers'" branch, and which is to consist of twenty officers, all of them to be Royal Engineers, to the exclusion of all Civil Engineers; and, if he approves of the continued exclusion of Civil Engineers from all the superior administrative posts in the Public Works Department in India?

Mr. J. K. CROSS: Sir, I am not aware that any such scheme as that described is under the consideration of the Government of India. My hon. Friend is mistaken in supposing that Civil Engineers are excluded from all the superior administrative posts in the Public Works Department in India.

### EDUCATION DEPARTMENT (SCOTLAND) —DENOMINATIONAL SCHOOLS AT GLENCRERAN, ARGYLLSHIRE.

Mr. J. A. CAMPBELL asked the Vice President of the Council, Whether his attention has been called to a statement which has recently appeared in a Scotch newspaper regarding a State-aided denominational school in Glencreran, in the parish of Appin and Lismore, Argyleshire, the statement being to the effect that a memorial, signed by every farmer and crofter in Glencreran, was presented in November last to the School Board of the parish, complaining that the denominational school, the only school in Glencreran, was conducted in such a way as to offend the religious feelings of the memorialists, and praying the Board to open a public or Board School suited to the requirements of the glen; and, whether any representation on the subject has been received by the Education Department?

Mr. MUNDELLA: Sir, the school referred to in the hon. Member's Question is a small school, in connection with the Scottish Episcopal Church; and was established in the year 1854. It is deemed sufficient to meet the wants of the surrounding district; and, in fact, the average attendance is from 15 to 19 children. The only representation made to the Department on the subject of this school is contained in a letter received in September last from a solitary ratepayer. We referred the letter to the school board, and asked their remarks thereon, and to this moment we have received no reply from them. I have also had my attention directed to an article in *The Glasgow Herald*, purporting to give a copy of a memorial addressed in 1882 to the school board. But neither in that memorial, nor elsewhere, is there any allegation that the school is not conducted strictly in accordance with the Conscience Clause, and the approved Time Table, on the faith of which a grant is allowed to it under Section 67 of the Act of 1872, as a school in existence before the passing of that Act, and efficiently contributing to the secular education of the district. It being so recognized both by the Department and the school board, who are responsible for supplying any public school accommodation required to meet the wants of their district, we have no power to sanction another school; but if there is any representation made to us that the Conscience Clause is not strictly complied with, we shall deem it our duty to interfere.

## PEACE PRESERVATION (IRELAND) ACT, 1881—HOUSE SEARCHING.

Mr. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the police searched the house of John Cullen, Brackleybay, Manorhamilton, on 14th August last, and also on 13th instant; and, whether anything objectionable was found on his premises on 14th August; and, if not, on what grounds the second search was made?

Mr. TREVELYAN: Sir, a search for arms was made in the Manorhamilton district on the 14th of August last. Nothing was found in John Cullen's house, which was one of those searched on that occasion. The second search, which occurred on the 13th instant, took place under the following circumstances:—A written communication was received by the authorities, which led to the belief that the search was necessary in the interests of the public peace. The result proved that the letter was misleading, nothing being found to confirm the statements it contained; but an admitted specimen of Cullen's handwriting was found in the house, which leaves no doubt whatever that the communication above referred to was written by himself, who thus, for some purpose of his own, at which the Government can give a shrewd guess, appears to have brought about the search of his own premises.

## EDUCATION DEPARTMENT (SCOTLAND)—EXAMINATION OF HIGHER CLASS SCHOOLS.

Mr. J. A. CAMPBELL asked the Vice President of the Council, Whether the Scotch Education Department is yet prepared to make provision, as authorized by sections 19 and 20 of "The Education (Scotland) Act, 1878," for the examination of higher class schools?

Mr. MUNDELLA: Sir, the Scotch Education Department have, on more than one occasion, applied to the Treasury for a Vote to enable them to conduct the examination of higher class public schools; but their application has been declined, on the ground that the power of appointing and paying for examiners of such schools, given to the school boards by the Act of 1872, was not superseded by the subsequent Act of 1878. No provision has, therefore, been made for the service in the Estimates of the current year; and as the Commission on Scottish Endowments, on which the hon. Member is now serving, is to make arrangements for the inspection of these higher schools, I am hopeful that it will not be necessary that we shall again be obliged to apply to the Treasury for a grant for these examinations. I trust that what the Commission will do itself will enable them to inspect these schools.

## DRAINAGE LOANS (IRELAND)—PAYMENT OF INSTALMENTS.

Colonel O'BEIRNE asked the Secretary to the Treasury, If his attention has been directed to a letter signed by a Mr. Thomas Webb, which appeared recently in the Dublin "Daily Express," from which it appears that the Solicitor to the Treasury has demanded payment in full of all drainage instalments on all estates where the Arrears Act has cancelled the arrears, and the Land Act has lowered the rents; and, whether the Treasury would consider the justice of cancelling these drainage charges in proportion to the amount of arrears cancelled, and in proportion to the judicial rent where it is below the former rent?

Mr. COURTNEY: Sir, I have read the letter referred to. The Question of the hon. and gallant Member raises two quite distinct points, with which I will deal separately. As regards the case where instalments of drainage loans are claimed, although some arrears may have been cancelled, I have to observe that the Legislature has dealt with this question in Section 17 of the Arrears Act; and as it has not included drainage instalments among the public charges there provided for, it must be assumed to have intended to leave them untouched. The case of a permanent reduction of rent by the Land Commission is different. Here it must be presumed that the Court, in fixing the fair rent, had before it the improvements effected on the land by drainage, and also the charge payable by the landlord on account of them; and the question of remission cannot, therefore, be properly raised. In both cases it is to be observed that recent legislation has only affected the distribution as between landlord and tenant of the profits of the land. But these drainage charges are the repayment of money which has been actually spent in improving that land, and could not be affected by such legislation. It must, therefore, continue to be paid, although the distribution of the charge as between landlord and tenant may be somewhat changed in its incidence.

## PUBLIC WORKS DEPARTMENT (INDIA) —SALARY OF OFFICERS ENGAGED IN THE AFGHAN CAMPAIGN.

Mr. CARBUTT asked the Under Secretary of State for India, To state under what circumstances Lieut. G. K. Scott Moncrieff, R.E., and other officers of Royal Engineers attached to the Indian Public Works Department, were permitted to draw their civil pay as members of that department, as well as their military pay during the time they were employed on field service discharging military duties in the late Afghan campaign?

Mr. J. K. CROSS: Sir, in reply to my hon. Friend, I can only say that Royal Engineer officers, attached to the Public Works Department, received under established rule, while temporarily withdrawn for active service in Afghanistan, half of their civil pay, *plus* their military pay and allowances in the field.

## ISLANDS OF THE SOUTH PACIFIC—THE NEW HEBRIDES — ALLEGED SEIZURE OF PROPERTY BY FRENCH SETTLERS.

Mr. ALEXANDER M'ARTHUR asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government will cause inquiries to be made as to the seizure by a number of French settlers in the New Hebrides of the Presbyterian Mission Station, at the Island of Efate; and, whether he will inform the House if the understanding between France and England that neither Government would take possession of the New Hebrides still continues in force?

Lord EDMOND FITZMAURICE: Yes, Sir; inquiry will be made. The understanding to which my hon. Friend refers is still in force.

## THE IRISH LAND COMMISSION (SUB-COMMISSIONERS)—LIEUTENANT-COLONEL DAVYS.

Mr. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, What is the special qualification for the situation of Sub-Commissioner under the Land Act of the gentleman who is also Colonel of the Longford Militia?

Mr. TREVELYAN: Sir, the rules made by the Land Commissioners, under the Statute, provide that "persons having a practical acquaintance with the value of land in Ireland" are competent to be appointed as lay Sub-Commissioners. In the case of Colonel Davys, as in every other case, the Lord Lieutenant was satisfied, from the various recommendations he received, as well as from the inquiries he made, as to the fitness and suitability of the person appointed. The hon. Member for Cavan (Mr. Biggar) is, of course, aware that gentlemen serving in the Militia are only occasionally enrolled for military service. In Ireland the periods are sometimes very distant, and they, therefore, follow other pursuits as well.

### POOR LAW—EMIGRATION OF PAUPER CHILDREN.

Mr. RANKIN asked the President of the Local Government Board, Whether the initiatory steps in the process of carrying out the emigration of pauper children are to be placed in the hands of boards of guardians; and, if not, in whose hands; and, whether, in order to give practical effect to the principle of relieving local burthens, the Government are prepared to grant some aid from Imperial funds towards the cost of emigrating pauper children?

Sir CHARLES W. DILKE, in reply, said, the initiatory steps remained with the Boards of Guardians; as to the second part of the Question, the discussion and the division which took place in this House in 1870, on the Motion of the hon. Member for the borough of Cambridge (Mr. R. R. Torrens), did not encourage a proposal similar to that suggested in the Question of the hon. Member.

### PUBLIC HEALTH—SANITARY AUTHORITY OF THE ISLE OF WIGHT.

Sir HARDINGE GIFFARD asked the President of the Local Government Board, Upon what grounds the Local Government Board have declined to receive a deputation of the rural sanitary authority of the Isle of Wight with reference to the appointment of district medical officer of health; and, whether there is any objection to the production of said Correspondence between the Local Government Board and their officers and the rural sanitary authority of the Isle of Wight or its individual members?

Mr. HIBBERT: Sir, the facts with regard to the appointment of medical officers of health for the district in question were so fully within the knowledge of the Local Government Board, that they did not consider that any advantage would result from the attendance of a deputation, and the sanitary authority was informed to that effect. The Board have had no correspondence on the subject of these appointments, except with the sanitary authority itself. If there has been any correspondence with Inspectors of the Board and the sanitary authority, or individual members thereof, the correspondence has not been submitted to the Board. The correspondence between the Board and the sanitary authority has extended over several years, and there would be no objection to produce that correspondence and also a Report of their Inspector made in 1881. If, however, it were intended that the Board's correspondence should be printed as a Parliamentary Paper, the Board consider that the Return should, on account of the expense, be limited to so much of that correspondence as relates to the appointments made in 1882 and the present year.

### EGYPT (RE-ORGANIZATION)—MR. SHELDON AMOS.

Mr. MOLLOY asked the Under Secretary of State for Foreign Affairs, Whether it is a fact, as stated in a public telegram from Egypt, that Lord Dufferin has appointed Mr. Sheldon Amos to be the English Member of a Committee of three to arrange measures for giving effect to His Lordship's scheme for the establishment of a Constitution in Egypt; whether he has read an article in the October number of the "Contemporary Review," entitled "Spoiling the Egyptians, revised version," in which the writer applauds "the seemingly severe determination," in the days of the first control, "that the coupon must at all hazards be paid," and further states that such determination "was based on well founded apprehension for the country generally if the slightest show of indulgence was admitted;" and, whether Her Majesty's Government will sanction the appointment of a gentleman holding these views?

Lord EDMOND FITZMAURICE: Sir, Professor Amos is well known in this country as a distinguished student of public law, and is the author of several works of high authority on this subject; but Her Majesty's Government have received no information of the intention to confer on him the appointment to which the hon. Member refers.

Mr. MOLLOY asked whether he was to understand the noble Lord to say that there was no truth in the telegram?

Lord EDMOND FITZMAURICE: The Government have no information on the subject.

## THE IRISH LAND COMMISSION—THE LIMERICK SUB-COMMISSIONERS—LISTED CASES.

**Mr. O'BRIEN** asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the case that the Limerick Sub-Commission at their February sittings at Kilmallock disposed of only 30 cases out of 115 listed for hearing, and that the hearing of the remainder, after being in the first instance adjourned to April, has now been further adjourned until the 4th of June; whether he is aware that a great part of this district was under water last winter, and that its appearance in June, when grass will be specially luxuriant, owing to the tenant's shortness of stock to graze it, will be a deceptive criterion of valuation; whether among the applicants, the hearing of whose claims has been postponed, are the tenantry of General Gascoigne, whose rents have been doubled since the purchase of the property in 1852, although nothing has been spent by the landlord in improvements, and whether these tenants have now been nearly a year and a half awaiting the adjudication of their claims in the Land Courts, without obtaining any relief from their rents; whether it is the case that in only eight cases were judicial rents registered by consent in the Land Courts in the county of Limerick for the quarter covered by the last Report of the Irish Land Commissioners; and, whether, in view of this state of things, the Government intend to take any steps to expedite the action of the Court?

**Mr. TREVELYAN**: Sir, the Land Commissioners inform me that 50 cases, out of 115 listed for hearing, were disposed of at the Kilmallock sitting, which concluded on the 4th of February. The remaining 65 cases stand adjourned until the 4th of June. I do not think that it would be becoming on my part to make any inquiries or announcement to the House as to the value of lands which are the subject of applications now pending before the Court; but I have full confidence that the Sub-Commissioners will take every proper means to satisfy themselves as to the real merit of the cases before making their decision. The cases of Colonel Gascoigne's tenants are among those adjourned. They have been on the books of the Commission for about 14 months. In the quarter ended the 31st of March, 92 cases of rent fixed by consent in the county of Limerick were notified to the office of the Land Commission. Of the cases remaining undisposed of in the county, it is expected that a considerable proportion will be settled during the circuit which commences to-day.

**Mr. O'BRIEN**: The right hon. Gentleman has omitted to answer the concluding portions of my Question, or to explain the reason of the adjournment until June.

**Mr. TREVELYAN**: Sir, I did not answer with regard to the reasons for the adjournment, because it would have necessitated my receiving an answer from the Land Commissioners; and in these Questions referring to that body, I have to keep myself very strictly to the replies I get; and I feel a certain delicacy in criticizing them, or in asking for additional information, except under special circumstances. I have, however, an interesting fact to state with regard to the progress of the action of the Court, which I have not had an opportunity of stating in previous debates. At the rate at which the Court is at present working the general prospect with regard to the fixing of judicial rents is very much more hopeful than has ever been stated, even from the Treasury Bench. If no fresh cases were put down before the Land Commission, I have every hope to believe that the present cases will be cleared off in 10 or 12 months—certainly in 11 months. If, however, fresh applications come in, at the rate at which they are at present coming in, all the cases—whether those now on the books, or those that will come on during the time the present applications are being disposed of—will be cleared off within 15 months. But what may be called the arrears of the Land Commission will, I believe, be cleared off within 10 or 11 months.

**Mr. O'BRIEN** said, that, whatever might be the state of affairs in other counties, the Land Commission was doing nothing whatever in Limerick.

## POST OFFICE (CONTRACTS)—THE SERVICE TO THE NORTH OF IRELAND—ACCELERATION.

**Mr. J. N. RICHARDSON** asked the Postmaster General, Whether he will state the subsidy paid to the Irish Great

Northern Railway Company for the conveyance of the Mails over their line; and, whether, in connection with the new Mail contracts, he contemplates making arrangements which will expedite the principal daily postal service between Dublin and Belfast, and also between Dublin and important towns not situated on the main line of Railway, such as Newry, Armagh, and Banbridge?

Mr. FAWCETT: Sir, the annual subsidy paid to the Irish Great Northern Railway Company for the conveyance of the mails over their line is £37,000 a-year. In reply to the second Question of my hon. Friend, I can assure him that, should any arrangements be made for expediting the postal service between Dublin and Belfast the question of extending the advantage to towns not situated upon the main line of railway, such as Newry, Armagh, and Banbridge, shall not be lost sight of.

## POOR LAW (IRELAND)—ELECTION OF POOR LAW GUARDIANS FOR CONG, CO. MAYO.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, If it has been reported to him by the police at Cong, county Mayo, that on the occasion of a recent election for the office of poor law guardian for Cong electoral division, Mr. William Burke, J.P., Cong, agent to Lords Ardilaun, Kilmaine, and Claremorris, and to several other extensive landed proprietors, caused ejectment processes for non-payment of the last November rent (without even applying for it) to be served on several voters in the said Cong electoral division, and on the estate of Lord Ardilaun a few days previously to the election; whether after the election those persons who voted for Mr. William Burke got time to pay the rent, and whether those who voted for Mr. Mark O'Brien, the popular candidate, were compelled to pay up rent and costs at once; whether Mr. Burke and his office clerk, John Kelly, went from house to house accompanied by four policemen, and caused the voting papers to be produced and filled up in their presence; whether the Government are prepared to afford the use of the police for such a purpose; and, whether the Irish Government will take notice of such conduct on the part of a person who holds the commission of the peace to procure his own election?

Mr. TREVELYAN: Sir, no complaints as to Mr. Burke's dealings with tenants in the Cong electoral division have been made to the police. I have made inquiries, however, upon the subject, and I am informed that the ejectment processes which were served before the election were in the ordinary course of business, and that Mr. Burke exercised no undue influence on any elector. It is not the case that, after the election, he gave time to those who voted for him, and compelled the others to pay up with costs. Some who voted against him, got time as well as some who voted for him. Mr. Burke is under police protection, and therefore, when canvassing, he was necessarily accompanied by police. His clerk, John Kelly, is also under police protection. It is not the case that they caused voting papers to be filled up in their presence; but some few illiterate voters requested Mr. Kelly to fill up their papers, which was done in Mr. Burke's presence. I have ordered that no such proceeding shall be taken for the future. I have no information before me to show that any improper use was made of the police, or that Mr. Burke took any unlawful steps to procure his election.

Mr. SEXTON: I shall call further attention to this case hereafter.

## PROTECTION OF YOUNG GIRLS—LEGISLATION.

Mr. J. R. YORKE asked the Secretary of State for the Home Department, Whether the Bill proposed to be introduced by the Government on the subject of the protection of young girls will be introduced in the House of Lords; and, if so, when?

Sir WILLIAM HARCOURT: A Bill is drafted, Sir, and I hope it will be introduced into the House of Lords by Lord Rosebery at an early date; probably, on Monday next.

## AFRICA (THE CONGO)—REPORTED SEIZURE OF TERRITORY BY FRANCE.

Mr. ASHMEAD-BARTLETT asked the Under Secretary of State for Foreign Affairs, Whether he can give the House any information regarding the recent French annexations North of the Congo, and regarding the relations of Mr. Stanley and M. de Brazza?

Lord EDMOND FITZMAURICE, in reply, said, that Her Majesty's Government had some days ago heard of a report that the French had seized Amloango Black Port, to the North of the Congo, and beyond the limits of the territory claimed by Portugal. The French Government, however, in reply to Lord Lyons, stated that they had received no intelligence of the alleged occupation.

### BOARD OF WORKS (IRELAND)—DRAINAGE—LEGISLATION.

Mr. P. MARTIN asked the Secretary to the Treasury, Whether, in view of the admitted pressing necessity for legislation, and the advanced period of the Session, he can now name a day for the introduction of the promised Bills to simplify and amend the laws relating to the functions of the Board of Works and Drainage in Ireland; and, will these Bills be brought in before Whitsuntide?

Mr. COURTNEY: Sir, I have been working at these Bills for the last three weeks, and although the time of the draftsman is very much occupied at present, I think I can safely promise to introduce them before Whitsuntide.

### LAW AND JUSTICE (IRELAND)—MR. BARROW, COUNTY COURT JUDGE OF MONAGHAN.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true that on the 9th instant Mr. William Newell Barrow, County Court Judge and Chairman of Quarter Sessions for the county of Monaghan, whilst on a visit to a farm within his jurisdiction, for the purpose of fixing a judicial rent, examined a wooden hut, used for sheltering the family of an evicted tenant, and declared, in the hearing of several persons, "If I had a match, I would set fire to it"—namely, the hut in question; whether the Irish Government regard this language as offering an incitement to an offence against property; and, whether any notice will be taken of the language, especially as proceeding from a judicial person, and one entrusted with the fixing of fair rents?

Mr. TREVELYAN: Sir, this Question has been brought under the notice of Mr. Barrow, who declines to make any statement, either in admission or denial of the anonymous allegation contained in it. The hon. Gentleman who asks it knows very well that the relations which the Government hold to Mr. Barrow are the same as those which they hold to the other Judges of the country, and I do not see how the Government could press inquiries through any other channel.

Mr. SEXTON asked whether the Government would use the powers given them by the Prevention of Crime Act for the purpose of making inquiries upon the matter?

Mr. TREVELYAN, in reply, said, that the matter was in this state, that the allegation made was entirely anonymous; there was no information laid before the Government.

Mr. SEXTON said, he would hand the right hon. Gentleman a letter which was not anonymous.

### POOR LAW (IRELAND)—ELECTION OF GUARDIANS, CO. LEITRIM—ALLEGED INTIMIDATION.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether a person named M'Givern, agent for the county Leitrim Estate of Colonel Tottenham, M.P. has interfered with the legal rights of voters on that estate, in connection with the recent election of a poor law guardian for the division of Glenfarne, Union of Manorhamilton, by saying to one Bartle M'Morrow "if you do not vote for Bernard (namely, Bernard Maguire, the candidate favoured by the agent) I will be revenged on you;" by saying to the widow Mawn, who had been evicted and re-admitted as caretaker at a penny a week, "if you do not vote for Mr. Maguire, I will have you turned out with your eight orphans, very soon;" and by asking a voter's son, who was in his employment, to go to the Union Board Room, on the day of the scrutiny of the votes, and swear that his father was insane; and, if the account is well founded, whether the Irish Government propose to take any notice of this conduct?

Mr. TREVELYAN: Sir, I am informed that, on the 9th of April, Bartle M'Morrow reported to the police that M'Givern used the words stated. He alleged that the occurrence took place on the 20th of March; but his complaint was not made until 19 days later, The police have made careful inquiry, but have been unable to discover any corroboration of M'Morrow's statement beyond the fact that M'Givern was in his house. The widow Mawn denies that she was threatened or intimidated about her vote. With regard to the other alleged case of interference referred to, it appears that a boy named Keany, the son of a man who was not in his right mind, went to the workhouse about his father's vote, but no inducement to do so was held out to him by M'Givern. From the information at present before me, I see no sufficient ground for any action on the part of the Government.

Mr. TOTTENHAM: Sir, as this Question directly reflects upon my own personal conduct, through the action of those employed by me, perhaps the House will permit me to read a letter I have received from my agent, Mr. M'Givern. He says—

> "I certainly am surprised and amused at Mr. Sexton's intended question. That I threatened or used any intimidating language towards Bartle M'Morrow is perfectly false and groundless. With regard to Mrs. Mawn it is even more false, if possible. Both these people had promised Mr. Maguire to vote for him. M'Morrow more than once in my own presence, entered into the desirability of Mr. Maguire's candidature warmly, but owing to the action on the other side I understand, voted against him. Mrs. Mawn came to my house on the night of the 20th March and said Father M'Givern had promised her seed potatoes from Father Flynn, who had written a letter promising to place her on the relief list of the Land League, and that relief was refused to her because she left the Land League but some time ago. So far from telling her to vote for Mr. Maguire, I advised her to strike in with the priest's offer. She did vote against Mr. Maguire, and I dare say is reaping her reward. As to the 'voter's son,' who, I presume, is Thady Kane, he volunteered to go, and went to the returning officer and said that a crowd of people came to his house at midnight demanding his father's paper to be filled up, and that he kicked them out. The paper was filled up against Mr. Maguire, and Thady Kane reported to the returning officer that his father was perfectly silly and unfit to comprehend anything about it."

Now, Sir, I ask you, whether it is in accordance with the practice and usage of the House for one Member to place a Notice on the Paper reflecting on the action of another hon. Member through those employed by him? And, whether an apology is not due to the House from the hon. Member for Sligo for having placed on the Paper the scandalous and utterly untrue accusation contained in the Question?

Mr. SEXTON: I beg to say that I have not reflected at all on the hon. Gentleman. I have simply asked whether a person in his employment has not done certain things. And now I beg to ask, whether the police have made inquiries from Rev. Mr. Flynn, because he writes to me that Bartle M'Morrow can swear to the truth of his statement?

Mr. SPEAKER made no reply to the Question of the hon. Member for Leitrim.

## CRIMINAL LAW (IRELAND)—THE NEW JUDICATURE RULES.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether any Rules have been made by the Irish Judges, for the conduct of Criminal Business, under the powers conferred upon them by the Judicature Act; and, if so, how copies of those Rules can be procured; whether it is true that a person who desired last week to purchase at the Queen's Printers (Messrs. Thorr) in Dublin, for a copy of the Rules made by the Irish Judges under the powers of "Prevention of Crime (Ireland) Act, 1882," was informed that he could not be supplied with a copy as the Queen's Printers had been directed by the Dublin Castle authorities to print only a certain number of copies for private use; and, whether there is a copy of the Rules last-mentioned in the Library of the Four Courts, Dublin; and where copies can be had by those who need them?

Mr. TREVELYAN: Sir, I am informed that the Judges have not made any Rules for the conduct of criminal business under the powers conferred upon them by the Supreme Court of Judicature Act, 1877—no occasion for the making of such Rules having arisen. The power to make Rules under the Prevention of Crime Act is vested in the Lord Lieutenant and Privy Council, and not in the Judges. When made, they were published in *The Dublin Gazette*, and are, of course, procurable by the public in that form from the Queen's printers. A few copies were printed separately for official use, and one of these is, I understand, in the Library of the Four Courts, Dublin. With regard to the incident mentioned in the second paragraph of the Question, I have ascertained that a gentleman went to the office of the Queen's printers and asked, not for the Rules, but for "a form under the Crimes Act, a copy of which was in the Four Courts' Library." He was told that no forms were on sale; and that, if any such had been printed, they were for official use, and the whole stock had been sent to the Government. He does not appear to have made it clear what he wanted. Had he done so, I have no doubt that he would have obtained, without difficulty, a copy of *The Gazette* containing the Rules.

## POOR LAW (IRELAND)—BELFAST BOARD OF GUARDIANS—ALLEGED DEFALCATIONS OF THE SOLICITOR.

Mr. KENNY asked the Chief Secretary to the Lord Lieutenant of Ireland, If he is aware that the late Charles H. Ward, who was solicitor to the Belfast Board of Guardians for some years, and up to the time of his death, which occurred in last March, misappropriated several large sums of money which were entrusted to him by or on behalf of the guardians, amounting in the aggregate to upwards of £500; if it be true that the guardians have, up to the present, studiously avoided giving any publicity to these extensive defalcations to the ratepayers; have the guardians issued fresh cheques for application to the purposes for which Ward had already received them, but applied to his own use; what steps the Local Government Board propose to take with a view of indemnifying the ratepayers; and, if an inquiry will be granted to see if some of the guardians, who must have been aware of these frauds extending over a period of three years, should not be held personally liable?

Mr. TREVELYAN: Sir, I have ascertained that there is a balance due to the Guardians on their account with their late solicitor of about £299—not upwards of £500 as stated in the Question. It is not the fact that the Guardians have, up to the present, studiously avoided giving any publicity to this defalcation. The circumstances and their proceedings in the matter were fully detailed in their Minutes of the 20th and 27th of February. In one case, the Guardians have been obliged to issue a second cheque, to meet a payment which should have been made on their behalf by the late Mr. Ward. The amount of this cheque (£44 10*s.*) is included in the sum of £299 mentioned above as the total defalcation. The Guardians are in communication with the representatives of the late Mr. Ward on the subject of the balance due to them, and the Local Government Board do not consider that their interference in the matter is at present required. I am informed that the Guardians, individually, cannot be held to be personally liable for the defalcations referred to.

## LAW AND JUSTICE—THE QUEEN'S BENCH DIVISION OF THE HIGH COURT OF JUSTICE—DELAY IN PROCEDURE.

Mr. PUGH asked Mr. Attorney General, Whether it is necessary that in the Queen's Bench Division, besides two Judges trying jury cases and one Judge sitting in Chambers, four learned Judges should be daily engaged in hearing, in two Courts, applications most of which are of an unimportant and even trivial character, whilst all the important causes pending in the Courts of Mr. Justice Kay and Mr. Justice Pearson have to go to the wall, owing to the absence of Mr. Justice Kay on circuit?

The ATTORNEY GENERAL (Sir Henry James), in reply, said, there could be no question that the absence of learned Judges on Circuit led to considerable inconvenience; but things would have to remain as they were until a better system was devised.

## PARLIAMENT—THE CONTAGIOUS DISEASES ACTS—LEGISLATION.

Lord RANDOLPH CHURCHILL asked the Secretary of State for War, Whether it is the intention of Her Majesty's Government, without delay, to introduce a Bill to give effect to the Resolution arrived at on Friday last relative to the Contagious Diseases Acts? The noble Lord further asked, Whether it is the intention of the Government, pending further legislation, to continue to enforce the existing law; or, whether they will consider themselves entitled to exercise a dispensing power, and to issue instructions to the authorities to take no further prosecutions under the Acts?

The Marquess of HARTINGTON: Sir, I am obliged to the noble Lord for giving me private Notice of the last part of the Question. I am afraid that I can only say to-day that I am in communication with my noble Friend the First Lord of the Admiralty and with the Secretary of State for the Home Department as to the measures to be adopted in order to give effect to the Resolution of the House on Friday last. I hope shortly to be able to make a statement on the subject; but I would ask the noble Lord to postpone the Question for a few days.

### DUCHY OF CORNWALL—LEASE OF LAND FOR CONVICT PRISONS.

Mr. ACLAND asked the Secretary of State for the Home Department, On what terms Government hold the Convict Prisons and the land connected with them from the Duchy of Cornwall; if on lease, would he state what are the particulars of the covenants entered into with the Duchy; what consideration has been paid to the Duchy of Cornwall for the land on which the prisons, barracks, &c. were built about the year 1806-1808 for prisoners of war; for the increased quantity of land required when the Convict Prisons were established; and for the land enclosed since; and, under what authority have the enclosures of large tracts of land by the convicts been made ousting the commoners from their ancient rights of pasturage and rights of venville?

Sir WILLIAM HARCOURT: Sir, the land is held on leases from the Duchy of Cornwall. I hope the hon. Member will not ask me to state the covenants of the leases. The rent paid under the leases is £371. I am not aware that the right of the Duchy to grant these leases has been questioned.

### AFRICA (THE CONGO)—PORTUGAL.

Mr. JACOB BRIGHT asked the Under Secretary of State for Foreign Affairs, Whether he can make any statement calculated to remove the feeling of uncertainty which tends to paralise our trade with South West Africa in consequence of the authority sought to be exercised by the Portuguese on the Congo?

Lord EDMOND FITZMAURICE: Sir, in consequence of the disquieting reports which recently appeared, Her Majesty's Minister at Lisbon was instructed to address inquiries to the Portuguese Government on the subject of the health officer and the post office stated to have been established at Banana. The Portuguese Government have replied that the Angola Board of Health has appointed a delegate at Banana, not as an act of sovereignty, but to *viser* bills of health for Portuguese packets only, it being necessary for their *pratiquè* at Lisbon. A Post Office station has for some time been in existence at Banana, also, it is understood, for the use of the Portuguese only. Positive orders have been issued to the Governor of Angola not to occupy an inch of the territory in dispute during the progress of the negotiations with Her Majesty's Government, but to maintain strictly the *status quo.*

Mr. BOURKE asked the noble Lord what right there was for any Power, which had not the right of sovereignty, to establish a post office?

Lord EDMOND FITZMAURICE: It is a mere private arrangement with the traders, and, as I understand, affects nobody but the Portuguese themselves. That, I understand, is quite within their right.

Mr. JACOB BRIGHT asked whether it was understood that British merchants were not obliged to deposit letters in the post office?

Lord EDMOND FITZMAURICE, in reply, said, that was implied in the terms of the answer.

### FRANCE AND ANNAM—FRENCH PROTECTORATE OVER TONQUIN.

Sir DONALD CURRIE asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government are aware that the French Consul or other agent of the French Government at Hai Fung, a place in Tonquin, in the kingdom of Annam, has interdicted ships from loading rice for Hué, the capital of Annam; and, if so, whether Her Majesty's Government have remonstrated against the interference with the interests of shipping and of trade generally in that quarter; and, whether it is true that the French Government are about to submit to the Chambers a vote of five millions of francs for the purpose of compelling the King of Annam to accept the protectorate of France over Tonquin; and, in that case, whether Her Majesty's Government have any reason to anticipate that such a proceeding will produce a breach of friendly relations between France and China?

LORD EDMOND FITZMAURICE: Sir, Her Majesty's Government have received no information with regard to the alleged prohibition of the loading of rice at Hai Fung, near the capital of Annam, to which the hon. Member refers. They have no information beyond what has appeared in the newspapers in regard to the latter part of my hon. Friend's Question.

## PARLIAMENT—BUSINESS OF THE HOUSE—POLICE SUPERANNUATION BILL.

SIR HENRY SELWIN-IBBETSON asked the First Lord of the Treasury, Whether, after the tribute paid to the Police (not only in the Metropolis but the provinces) by the Home Secretary the other day, he can assure the House that the Police Superannuation Bill, in which the Force takes so deep an interest, will be made one of the principal measures of the Session, and the Second Reading taken at an early day, thus securing to so deserving a body of men a substantial and long called for act of justice?

MR. GLADSTONE: Sir, in reply to this Question, I have to say that Her Majesty's Government are extremely anxious to get forward with this Bill upon the earliest available opportunity, and from the tone in which the Question is couched I hope we shall have assistance from the hon. Baronet and some of his Friends in finding one. If there is any point on which we can, consistently with the established principle of police contribution, make a proposal which would tend to remove obstacles to the passing of the Bill, we shall be desirous of doing so.

## PARLIAMENT — BUSINESS OF THE HOUSE—AGRICULTURAL TENANTS' COMPENSATION—LEGISLATION.

MR. CHAPLIN asked the Prime Minister, Whether there was any chance of the Government Bill dealing with compensation to agricultural tenants being introduced before Whitsuntide?

MR. GLADSTONE: Sir, if the hon. Gentleman could tell me what he is much more likely to know than I am—namely, how long the debate we are to enter upon to-night will last, I could give him an answer on the Question he has put to me; but, until light is thrown on that matter, I can give no further response. I would add that I propose to postpone the Annuities Bills till Thursday.

MR. CHAPLIN asked, Whether he he was to understand that the Agricultural Tenants' Compensation Bill was not to be introduced till the House had decided upon the second reading of the Affirmation Bill?

MR. GLADSTONE: No, Sir; we must proceed with the Parliamentary Oaths Act (1866) Amendment Bill as the first Business of the Government.

## PAROCHIAL BOARDS (SCOTLAND) BILL.

SIR EDWARD COLEBROOKE asked the hon. Member for Glasgow (Dr. Cameron), What course he intends to take with respect to the Parochial Boards (Scotland) Bill?

DR. CAMERON, in reply, said, he proposed to ask the House to permit the Bill to go into Committee *pro formâ*, in order that it might be reprinted with Amendments intended to meet the various objections to it upon points of detail. If that course were permitted, it would not, of course, advance the position of the Bill, and he would take care that ample time was permitted to elapse before the Committee stage was taken, so as to enable all parties concerned to express their views upon it.

## CUSTOMS AND INLAND REVENUE BILL.

MR. MACFARLANE asked, Whether it is the intention of the Government to take the second reading of the Bill that night; and, if so, in the event of its being read a second time, when the Committee stage will be taken?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS), in reply, said, he proposed to take the second reading of the Bill that night, as it was very important it should be read a second time as soon as possible, and he hoped to take the Committee stage on Thursday. He should propose to take the second reading at any reasonable hour,

## UNIVERSITIES (SCOTLAND) BILL.

Mr. LYON PLAYFAIR asked the Lord Advocate, If it is his intention to bring on the Bill that night?

The LORD ADVOCATE (Mr. J. B. Balfour), in reply, said, it was not his intention to do so.

## PARLIAMENTARY OATHS ACT (1866) AMENDMENT BILL.

Mr. SCHREIBER wished to ask the Prime Minister in reference to the following statement made on the first day of the Session by the noble Marquess the Secretaryof State for War:—

> "It is not usual to include in the Queen's Speech measures which are not considered to be of the greatest importance, and this is a measure that we did not consider worthy of a place in the Queen's Speech,"

Whether it was to be inferred from that statement that the Government would regard the rejection of the Affirmation Bill as an event of no particular importance?

Mr. GLADSTONE: I must, in the first place, disclaim on the part of my noble Friend the statement which the hon. Gentleman ascribes to him. It will be the duty, if not of my noble Friend at least of myself or another Member of the Government, to explain in the course of the debate the view we take of the Bill, and the reason why it was not mentioned in the Queen's Speech.

Mr. SCHREIBER remarked, that he had copied the words he had quoted from *The Times* report.

## *ORDERS OF THE DAY.*

## PARLIAMENTARY OATHS ACT (1866) AMENDMENT BILL.—[Bill 89.]

(*Mr. Attorney General, The Marquess of Hartington, Secretary Sir William Harcourt, Mr. Solicitor General.*)

SECOND READING. [FIRST NIGHT.]

Order for Second Reading read.

The ATTORNEY GENERAL (Sir Henry James), in moving that the Bill be now read a second time, said, he was sure the House would agree with him that in the procedure within its walls they ought to be most sensitive in relation to the rights of the constituencies, and that they ought to take no course that would deprive any constituency of its due rights. Without doubt, a constituency had the right to elect any Member whom it should think fit, presuming that such Member was not disqualified by law from taking his seat in the House; and the proposition he wished to submit was this, that if disqualification existed it should be marked and defined, and that the constituency should have notice through the law of such disqualification. After this notice had been given the constituency ceased to have the right to elect the disqualified person. But if the House, by Resolution, rejected those who were by law qualified to sit, they ran the risk of being placed in the unseemly position of throwing back the Member on the constituency, which might then throw back the Member upon Parliament—a position that certainly ought not to be assumed by Parliament, and was not a just position in which to place a constituency. As he had said, a constituency had a right to return any person, provided no disqualification existed, and there was no disqualification existing that was known to the law in respect of the religious belief of any man. There were 116 Statutes upon the Book imposing disqualification in respect of the election of a Member of Parliament, but amongst them there was none, either directly or indirectly, on the ground of the religious belief of the elected Member. If hon. Members would refer to an authority who was not likely to err in such a matter, they would find it specifically stated in *Blackstone's Commentaries*, after setting out the different grounds of disqualification, amongst which none, on account of religious belief, was to be found, that—

> "Subject to these restrictions and qualifications every subject of the realm is eligible, by common right, to election."

It was interesting to note that when Sir William Blackstone, in the House of Commons, justified the declaration of disqualification of Mr. Wilkes on the ground of his belief, Mr. George Grenville sprung to his feet and quoted that passage against him; and if the student of law would refer to it he would find that Sir William Blackstone published another edition of the *Commentaries*, altering the passage; but that afterwards, by a Resolution of the House in 1782, the original passage was shown to be correct. This absence of disqualification, however, was not confined to Members of the House. There was no such disqualification on religious grounds which would prevent a Peer of the Realm from taking his seat in the other House. A Peer might be summoned who was known to hold views not entertained by the Christian community, and if he chose to take his seat, could do so without hindrance. In the same way, as no such consideration could affect the right of a Peer to take his seat, so there was no Office, except those which had to deal with ecclesiastical patronage, for which a person could be disqualified by his religious belief. Again, in the reformed Parliament of the year 1833, when an Act was passed regulating the affairs of India, the House, enacted—

> "That no native of the said territories, nor any natural subject of His Majesty resident therein, shall, by reason only of his religion, place of birth, descent, colour, or any of them, be disabled from holding any place, office, or employment under the said Company."

Now, there was, as he had stated, a general right of election, and the House, though it might unquestionably impose conditions precedent to a Member's taking his seat, ought not to impose such conditions as amounted to a disqualification. The disqualification should be direct and by law, and direct notice of it should be given to the constituency; but the House had no right to admit the legal freedom of election, and then to interpose an indirect barrier between the elected Member and his seat. That had never been the intention of the Legislature in imposing different Oaths to be taken by Members of Parliament. The Oaths imposed had been imposed for political objects, and not for the purpose of effecting religious tests in any time and under any circumstances, and they did not so exist at the present moment. In Saxon times there was an Oath of Fealty, and in pre-Reformation times an Oath of Allegiance; but these were general, and did not affect Members of Parliament. He would remind the House that at Common Law no Parliamentary Oath of any kind existed. There came a time when there was a struggle in this country between the assertion of a Papal Power and the Ecclesiastical Supremacy of the Crown, and then, for the first time, the Oath of Supremacy was imposed, in order that there might be some assertion made by those who took Office that they supported the ecclesiastical power of the Crown. In the 3rd year of the Reign of Elizabeth, the Oath of Supremacy was imposed upon Members of Parliament, although not upon Jews, whose loyalty was assured; but that Oath was political in its object and in its creation, and it was not an Oath that imposed any religious test. In the Reign of James I., after the Gunpowder Plot, there was a further Oath of Allegiance, which was also imposed only as a political and not as a religious test. These two Oaths of Supremacy and Allegiance, although directed against Roman Catholics, were not directed against the doctrine of the Church, but only against the political action of Roman Catholics. As time went on, loyal Roman Catholics took Oaths of Allegiance and Supremacy, and sat in Parliament without outrage to their feelings. At the time of the Popish Plot in the Reign of Charles II., Members of Parliament were required to make a Declaration against the Doctrine of Transubstantiation of the Roman Catholic Church. In practice the Declaration did create a religious test towards the Roman Catholic only; but the object of that Declaration was that they should deal with the political action of Roman Catholics of the time. Then they passed to the time of William III., when there was a necessity, in order to support the Protestant Succession, of imposing the Oath of Abjuration—namely, abjuration of the Stuarts. That Oath was continued to the Reign of George I.; and now they had arrived at a time when every Member of Parliament who took his seat at that time had to take six different Oaths. He had to take the Oath of Supremacy and Allegiance twice over, first before the Lord Steward, and again at the Table of the House; he had to take the Oath of Abjuration and the Property Qualification Oath, which came into force in the Reign of George II., and also the Oath or Declaration against the Doctrine of Transubstantiation of the Church of Rome; and every one of those Oaths, except the last, had been dictated by political necessity, for political objects, and was never intended to be a test of religious opinion. That was the unhappy position of a Member coming to take his seat. But they came to a happier time, when the Relief Bill of 1829 was passed. Up to that period full notice was given to the constituencies that if they elected a Roman Catholic he would have to declare his disbelief in the tenets of his Church, and, therefore, he was practically disabled from sitting in the House. When O'Connell was first elected for Clare the constituency knew that he could not sit in their House. No Petition could be presented against a Member on the ground of religious belief. The terms of the Declaration against Transubstantiation formed the only barrier which prevented a loyal Roman Catholic from taking his seat. The Act of 1829, of course, repealed the Statute of Charles II., which made it necessary to make the Declaration against Transubtantiation. The Oath of Supremacy was in a certain form retained, but every obstacle to Roman Catholics entering the House on the ground of religious belief was removed. The relief against Oaths continued. The Quakers were allowed to affirm in 1833, and the Jews were relieved from using the words "the true faith of a Christian" in 1858. Coming now to the only Oaths Act at present affecting the entrance of Members into that House—namely, the Statute of 1866—he had to ask what was the test imposed by that Statute. There was, of course, now no recital of the words "on the true faith of a Christian." The Oath had ceased to be any test of Christianity. Those who were not Christians could take it. Hon. Gentlemen could not but remember the argument which was used when it was proposed to admit Roman Catholics—namely, that if that were done they would destroy the Protestant character of the House. In the same way, when it was proposed to admit Jews, it was said that the Christian character of the House would be destroyed. There was now no test either of the Protestantism or of the Christianity of the House. They had reduced it to a test of Theism alone. And what was this test? It was a test defined by no standard. It would be represented by the Theism [illegible] a Mahomedan, a Buddhist, [illegible] was fire-worshipper. It was [illegible] with him [illegible] represented [illegible] within its walls they ought to [illegible] most sensitive in relation to the rights of the constituencies, and that they ought to take no course that

SIR H. DRUMMOND WOLFF said, what he did say was "belief in one Deity or another." He subsequently explained his meaning to be "a Deity of Trinity or a Deity of Unity."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that he was quoting the words from memory. It occurred to him at the time he heard the hon. Member for Portsmouth speak, that his hon. Friend had been deeply studious, and had been consulting Puffendorff, as he had taken exactly the same view as that learned writer. Puffendorff had used these words—

> "That part of the form of oaths under which God is invoked as a witness or as an avenger is to be accommodated to the religious persuasion which the swearer entertains of God, it being vain and insignificant to compel a man to swear to a God in whom he doth not believe, and, therefore, doth not reverence."

He would ask his hon. Friend to pursue his studies a little further in the matter, because it so happened that there was a judicial decision that the words "so help me God" formed no part of the oath at all. That had been determined by Lord Campbell, who declared, in the case of Mr. Alderman Salomon's, when similar vows in the Oath of Abjuration were in question, that if a person refused to repeat those words, the Oath was, nevertheless, properly taken. There was no doubt about this—that if the Oath were imposed as a condition precedent, any Member could take it without fear of interference. The Speaker had determined that no question could be asked about a Member's religious belief, and the Committee which reported in June, 1880, found that there was no power in the House to interrogate a Member who desired to take the Oath of Allegiance upon any subject connected with his religious belief. The right hon. Gentleman (Sir R. Assheton Cross), who intended to move an Amendment that evening himself, said, on July 1, 1881—

> "It must not be supposed, therefore, that they were even suggesting that the House had any right to make an inquiry of its own if a Member presented himself to take the Oath without

student of law [illegible] of the House such mat- would find that Sir William [illegible] stone published another edition of [illegible]ath *Commentaries*, altering the passage; b[illegible]as that afterwards, by a Resolution of the House in 1782, the original passage was shown to be correct. This absence of once explained to the House that he objected to the profanation of the Oath by its being taken by a man who had no religious belief. That view was accepted by a large number of Members, whose views were expressed by the hon. Member for Berkshire (Mr. Walter), who said that he should vote against the proposal to allow the Member for Northampton to take his seat, not because the hon. Member had no religious belief, but because he objected to being a party to the desecration that would be caused by the invocation of the name of God by one who had no belief. Now, what the Government proposed was that an unbeliever should be permitted to take his seat without taking the Oath, and thus without being guilty of the desecration spoken by the hon. Member for Berkshire. In fact, the supporters of the present Bill wished to see unbelievers take their seats without the act of profanation, while its opponents were apparently willing that they should do so after having been guilty of that act. Did they really wish that that which they called an act of profanation and desecration should be perpetuated? It had been said by hon. Members opposite that the Bill was proposed for the purpose of admitting Atheists into the House. Did hon. Members who said that realize the fact that the present Rules did not exclude Atheists? Had they forgotten that Bolingbroke and Gibbon both took the Oath and sat in that House? And were they not aware that others who belonged to the school of thought which they represented in the past could do exactly the same thing now? What course, he asked, could the Government take except that of legislation? In proposing legislation they only accepted the invitation that had come from the Front Bench opposite. What did the right hon. Gentleman who was to move the Amendment say on July 1, 1880?—

> "They might depend upon it that whatever the fate of the Resolution then before them was, it would not settle the question. Legislation must be brought forward; and, so far as that Resolution went, it would not get them out of the difficulty. This question would require legislation. At the present moment, he admitted, legislation would be almost impossible. He agreed that it would take a long time; but it was not necessary to legislate that Session, or in a hurry."

Would the right hon. Gentleman tell them that night what legislation he would propose? As he opposed the present Bill, the only kind of legislation which he could put forward was a Bill to disqualify men from sitting in Parliament unless they should subject themselves to an inquiry into religious belief. Would the right hon. Gentleman have the courage to introduce such a Bill as that? Then there was a statement made by the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) to which he wished to draw attention. The right hon. Gentleman said, on April 27, 1881—

> "The hon. Member (Mr. Bradlaugh) has done everything that it seems to me honour requires on his side. He has had the decision of the House given against him; and I can conceive no more proper course for him to take than to say that he would look for some future alteration of the law, or Rules of the House, and to act as others have done—namely, remain Member for Northampton, although he finds himself excluded from taking his seat."

Then, in answer to a direct question put to him by the hon. Member for Northampton (Mr. Labouchere) as to whether he would favourably consider the Bill which would give to everyone a right to affirm, the right hon Gentleman replied—

> "I can only say—although I do not admit that such a question ought to be put in the circumstances—that if a measure of the kind to which he alludes is introduced, I shall give it my careful consideration, whether it is introduced by the Government or by a private Member. I admit the great difficulty and the painful nature of the case, and I shall be happy to co-operate in any way I properly can to conduct it to a satisfactory conclusion."

The right hon. Gentleman having thus promised to give careful consideration to the question, would he tell them what steps he proposed to take in order to bring the matter to a satisfactory conclusion? Surely the right hon. Gentleman could not think that such a conclusion could be reached by leaving things as they were. It was the duty of every Member in that House to endeavour to bring about a satisfactory conclusion; and, believing that, he would ask hon. Members opposite to consider the results of the course which they had hitherto taken. Many hon. Gentlemen had imagined, by the maintenance of this controversy, some Party benefit or gain might accrue to them. But had they counted the cost, or reckoned the price, of their action? Had they ever compared the position of the chief actor in the controversy three years ago with his position now? Three years ago he was a man of great power, capable of influencing men; but his followers were few. He had no cause to fight for but one that was negative, no banner but one that was colourless, and no faith to create enthusiasm. Hon. Members opposite, however, had supplied all these wants, and now his followers believed they were fighting for the rights of constituencies. They were fighting to destroy a political wrong and to remedy a political grievance to which only one man was now practically subjected, but from which many might suffer in the future. It was sad to find that those who had taken up Mr. Bradlaugh's case, and had at first supported it on political grounds, were, in many instances, adopting his lead with regard to religious teaching and all Christian doctrine. The right hon. Gentleman was certainly right in saying that a controversy producing such results should come to an end, and it was because he shared that opinion that he asked the House to accept his Motion that this Bill be read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Attorney General.*)

Sir R. ASSHETON CROSS said, that if he could help it no word from him should offend in any way the junior Member for Northampton (Mr. Bradlaugh), because he wished to deal with principles and not with men. He had two propositions to lay before the House. The first was, that the hon. Member had avowed himself to be an Atheist and an unbeliever, and had, of his own free will, forced the notice of the fact upon the House. The second was, that the Government, even before his election, and certainly ever since, had done their best in every form and way they could, to secure that that Gentleman should take his seat; they had brought in this present measure with the sole and express purpose of admitting Mr. Bradlaugh to the House, and they had taken that course under a pressure which ought never to have been yielded to by those who guided the destinies of this great country. He did not know whether his first proposition, that Mr. Bradlaugh had forced upon the notice of that House the fact that he was an Atheist and an unbeliever, required any proof on his part. He should not have thought it necessary to have adduced any proof on the point had it not been for the expression of the Prime Minister that Mr. Bradlaugh's statement on the subject had not been made voluntarily, but had been forced from him by questions which had been put to him by the Clerk at the Table. Without going at length into the controversy upon that point, it was sufficient that he should refer to the records of that House, to the letter which Mr. Bradlaugh had written on the subject, and to the Report of the Committee which had sat for so many days discussing this question—the discussion being conducted, according to the right hon. Gentleman the Chancellor of the Duchy of Lancaster, with the greatest calmness and coolness—in which they stated that Mr. Bradlaugh had voluntarily made known the fact that he was an Atheist and an unbeliever.

Mr. GLADSTONE observed, that what he had said was that Mr. Bradlaugh's avowal had been forced from him, not by questions put to him by the Clerk at the Table, but by questions put to him by the Committee.

Sir R. ASSHETON CROSS remarked, that if the right hon. Gentleman would refer to the pages of *Hansard*, he would find that his statement on the point was correct. Mr. Bradlaugh's letter was undoubtedly a voluntary one, it was produced before the Committee, and it was now upon the Table of that House. That letter, dated the 20th of May, 1880, contained the following passage:—

> "The Oath—although to me including words of idle and meaningless character—is regarded by a large number of my fellow-countrymen as an appeal to Deity to take cognizance of their swearing. It would have been an act of hypocrisy to voluntarily take this form if any other had been open to me, or to take it without protest, as though it meant in my mouth any such appeal."

With regard to his second proposition, that the Government had done all they could during the last two years to enable Mr. Bradlaugh to take his seat, he might remind the House that it was Mr. Adam, their former Whip, who had invited Mr. Bradlaugh to offer himself for election at Northampton. At that time, Mr. Adam, in conjunction with the whole world, was fully acquainted with Mr. Bradlaugh's Atheistical opinions. Since that time the Government had doubled backwards and forwards in this matter, and had tried to open every possible door to admit Mr. Bradlaugh into that House. Whether the point involved was whether he should be allowed to take the Oath or to make an Affirmation, or whether he should be admitted by Resolution of the House, or by legislation, they had always posed as his supporters. The Chancellor of the Duchy of Lancaster (Mr. John Bright) had said that if one door was not open to Mr. Bradlaugh another must be opened, and that, having been elected by the people of Northampton to represent them, he was entitled to take his seat. In fact, there had been a dogged and obstinate determination on the part of the Government that Mr. Bradlaugh should take his seat at all hazards. In order to see whether he was right or wrong upon this point, it was necessary that he should recall what had occurred in connection with this question during the last few years. On the 3rd of May, 1880, Mr. Bradlaugh first came to the Table of the House to take an Affirmation, and on objection being raised to his doing so the Government proposed to refer the matter to a Committee. In the course of the inquiry before the Committee, the Law Officers of the Crown took the view that Mr. Bradlaugh had a right to affirm ; but the Committee reported that he had no such right. He might here say that the Government appeared to have supported their Law Officers whenever they were wrong, and to have thrown them overboard whenever they were right. On the 21st of May, Mr. Bradlaugh presented himself at the Table of the House for the purpose of taking the Oath, and objection being raised to his doing so the Government expressed their regret that any question should be raised on the subject; but eventually another Committee was appointed. Before that Committee the Law Officers of the Crown expressed an opinion that Mr. Bradlaugh had no right to take the Oath, and that the House had a right to prevent him from doing so. On the 21st of June Mr. Bradlaugh fell back upon his claim to make an Affirmation, and on that occasion the senior Member for Northampton brought forward a Motion on the subject. That Motion was supported by all the weight and ingenuity of the Prime Minister; but he was happy to say that it was defeated. Then came all the scenes in that House to which he need not more directly refer. Then came the first abdication of the Prime Minister of his duties as Leader of the House. In the course of those occurrences the Prime Minister had handed over the conduct of the House to his right hon. Friend the Member for North Devon, and the latter right hon. Gentleman had vindicated the honour of that House in a manner that he believed had met with the approval of that House, and certainly with that of the country. On the 1st of July the Government themselves came forward with a Motion that the House should permit Mr. Bradlaugh to affirm, subject to any legal penalty which might be imposed upon him for so doing. The Motion was carried, and Mr. Bradlaugh made an Affirmation accordingly. The matter, having come before a Court of Law, the Report of the first Committee which had been carried by the casting vote of Mr. Walpole was affirmed, and the opinion of the Law Officers of the Crown was set aside, some of the learned Judges who gave their decision on the point thinking the case to be too clear for argument. Thereupon the seat was declared vacated, and thus ended the first chapter of this sad and painful controversy. The people of Northampton then elected Mr. Bradlaugh for the second time, and on Mr. Bradlaugh coming again to take the Oath, the Government did their best to induce the House to permit him to take it, on the ground that the second election had entirely put an end to everything that had preceded it; but the House declined to be turned aside by this argument, and the Government received a second defeat in connection with this question. Then came more scenes, and then followed the second abdication of the Prime Minister. The Prime Minister, for the second time, handed the guidance of the House to the right hon. Member for North Devon, and for the second time that right hon. Gentleman had vindicated the honour of the House to the satisfaction both of itself and the country, and he believed that both the House and the country were grateful to the right hon. Gentleman for the course he had then taken. The hon. Member for Northampton then suggested legislation on the subject, and the Government immediately followed suit; and when the hon. Member asked for facilities to bring in a Bill similar to that now before the House, the Prime Minister said that the Government would have been prepared to give his application the most favourable consideration, but that to accord him the facilities asked for meant the postponement of the Irish Land Bill, and, therefore, they could not consent to his application. On the 2nd of May, however, the Government appeared to have at last made up their minds on the question, for on that day the Prime Minister himself proposed that the Orders of the Day should be postponed in order to allow the hon. and learned Gentleman (the Attorney General) to bring in a Bill dealing with the subject. As, however, the right hon. Gentleman desired to carry his supporters with him, the consideration of that measure was indefinitely postponed, and no more was ever heard of it. On that occasion, however, a warning was addressed to the House by the right hon. Gentleman the Chancellor of the Duchy of Lancaster in reference to outside force which ought never to have been uttered in that House, significantly alluding to the presence of a mob outside the House, and expressing the opinion that the action of the House would result in bringing it into an unfortunate and calamitous position. On the 2nd February, 1882, Mr. Bradlaugh again attempted to take the Oath. His right hon. Friend again made his Motion. The Prime Minister was not in the House; but the Home Secretary threw his shield over Mr. Bradlaugh, and moved the Previous Question, well knowing that if that Motion had been carried Mr. Bradlaugh would have taken the Oath without a word being said against his doing so. But the Government was beaten again. More scenes followed. On the 7th February, Mr. Bradlaugh went through the mockery of administering the Oath to himself. The Prime Minister abdicated his functions for the third time. The Leadership of the House was again handed over to his right hon. Friend, and on the first, second, and third occasions his right hon. Friend discharged the duties of Leader of the House to the satisfaction, not only of the House, but of the whole country. Mr. Bradlaugh was expelled. After the third election, which took place on the 6th of March, 1882, his right hon. Friend asked the Speaker, whether the return had been made, and immediately on the answer that the return had been made, his right hon. Friend thought that the wise and prudent course was not to allow the House to have all those scenes enacted in it which were so fatal to its dignity, and therefore he moved to reaffirm the Sessional Order, and that Motion was also carried, although the Government opposed it as violently and with as much ingenuity and eloquence as they had opposed anything, on the ground that his right hon. Friend ought to have waited till Mr. Bradlaugh came forward in order, as it would seem, that there might be fresh scenes. Then, on the 15th of February this year, the first night of the Session, the noble Marquess opposite gave Notice that the Bill before the House would be introduced. Thus from beginning to end, the Government had done all they possibly could to induce the House to let Mr. Bradlaugh take his seat. The hon. and learned Gentleman who had just sat down had said that the question of legislation was first introduced by himself (Sir R. Assheton Cross) and his right hon. Friend the Member for North Devon (Sir Stafford Northcote), and was good enough to read a short extract from a speech which he himself made. But nothing could be further from presenting the case in its true light than the extract given by the hon. and learned Gentleman from his speech. If the hon. and learned Gentleman had read the whole of the speech, the House would have seen how different it was from that which was presented to them by the Attorney General. The hon. and learned Gentleman had said that he had shown a spirit of prophecy, and that the prophecy had come true. What he had said was that he was quite certain that by no eloquence, by no ingenuity, power, or force, could Mr. Bradlaugh ever affirm or legally take the Oath, and that the only possible plan for those who wanted Mr. Bradlaugh to take his seat was to legislate. If the hon. and learned Gentleman had gone to the end of his speech he would have given a fairer version of it to the House. He would read the concluding words addressed to the House on the occasion referred to. They were as follows—

"If the right hon. Gentleman brought forward a Bill now it would be felt in the House of Commons and in the country that he was doing it to let in an Atheist, and it was, therefore, not an opportune time to legislate. If in the course of time there was a class of persons who objected to take an Oath, and it was proposed to legislate *alio intuitu*, it might be fairly discussed; but let them take care, whether they proceeded by Resolution or by legislation, that they were not supposed by the country to be doing it for the purpose of letting in an Atheist, or because they were not strong enough to lay aside their timidity, or doubted their ability for preserving the dignity of the House and the order and decency of its proceedings."

He repeated, that those persons who wished to let Mr. Bradlaugh in would have to bring about special legislation, because he could not affirm and the House would not allow him to take the Oath. Anyone who studied the question would see that whenever the object of Government was to assist Mr. Bradlaugh they came to the front and exercised their legitimate functions as Leaders of the House. But whenever it became a question of resisting Mr. Bradlaugh they left the Leadership of the House in the hands of his right hon Friend. The Prime Minister always floated along the stream, and pleaded now that the House had no jurisdiction, now that the question ought to be left to the Courts of Law; and now, again, there was a new departure. Then the Resolution of his right hon. Friend the Member for North Devon was termed aggressive and not defensive. It was noticeable how the Prime Minister always followed the lead of the hon. Member for Northampton. He had done so in 1880. First, there was the Affirmation, then the Oath, then the Affirmation, the Government doing all they could to help Mr. Bradlaugh to take either the one or the other. Then, in 1881, there was the Oath, then legislation was proposed, and then the Oath turned up again, the Government still doing all in their power to help either in one way or the other, they cared not which. Thus the Government had no policy of their own, except to get Mr. Bradlaugh in, and as to the means of getting him in they always accepted the advice of the hon. Member for Northampton. The hon. and learned Gentleman the Attorney General had, that evening, renewed the old argument of pressure from within and from without in favour of the Bill. His first argument was that he had been returned by the constituency of Northampton. His second argument was that the dignity of the House was at stake as to the first. He would read two short extracts in illustration of what he referred to. On May 21, 1880, the late Chancellor of the Duchy of Lancaster said—

> "He is returned here by a large majority to whom his religious opinions were as well known as they are now to us. The whole of the electors were fully cognizant of his views and yet he was elected and he comes to this House. You will land yourselves into a sea of troubles. Recollect the case of Wilkes. You come into conflict with a great constituency."

Next month, on the 21st of June, 1880, the same right hon. Gentleman said—

> "All the constituencies of the Kingdom, you may rely upon it, will consider this cause their own. I am here as the defender of what I believe to be the principles of our Constitution, of the freedom of constituencies to elect, and of the freedom of the elected to sit in Parliament —that freedom which has been so hardly won, and which I do not believe the House of Commons will endeavour to wrest from our constituencies."

The Prime Minister spoke quite as strongly to the same effect. The Bill assumed that legislation was necessary. But why were they to alter the law because one constituency elected a Member who could not under the existing law take his seat? That was not the way in which the great City of London was treated. That great constituency waited a long time—until other constituencies showed they were of the same opinion—before their chosen Member was allowed to take his seat. It was true that constituencies were free to elect whom they chose; but if they wished their elected Members to sit, they must elect those whom the House would allow to take their seats. But had Mr. Bright's prophecy come true? Had the other constituencies made that case their own. Why, from every town and from every village Petitions had been sent against that Bill. He did not know how many had been presented that day; but last week he had been informed by the Officers of the House that 3,700 had been presented, signed by 514,000 persons. That did not look as if the constituencies had taken up Mr. Bradlaugh's case as their own. Petitions had come, not only from all towns and villages, but from persons of all classes and creeds—Roman Catholics, Church of England, Methodists, Baptists, and Presbyterians — protesting against the Bill. He had himself presented a Petition from Salford, signed by 6,000 persons, for the same purpose, headed by the Roman Catholic Bishop of Salford. But what had Northampton itself done? There had been Petitions from that town itself, signed in one case by 10,000, in another by 6,000, persons against the Bill. But there were other means of testing whether Northampton was making that matter its own. In the first election Mr. Bradlaugh was elected by a majority of 700, in the second the majority was reduced to 132, and in the third it was only 108. That did not look as if Northampton was making the question its own. It was surely, then, scarcely right to alter the law for that constituency alone, or, indeed, for any other. Then the learned Attorney General said that there was no disqualification by law, and that of all disqualifications, if any existed, the constituency ought to have ample notice. He maintained that the constituency of Northampton had had ample notice. It had had ample notice that this man could not affirm, and that he would not be allowed to swear. It was just as much in the minds of the electors that he could not perform the duties he was elected to perform, as if the Statute had declared in so many words that Charles Bradlaugh could not be a Member of the House. If a constituency were to elect a clergyman, a convict, an alien, a public officer, or a woman, would the House alter the law? Supposing that the constituency which returned O'Donovan Rossa had thrown that person back on the House over and over again, would the House have altered the law for that reason? If this argument were to be used, it ought to be carried to its legitimate conclusion; if not, it had better be put aside at once. The second argument was that of the dignity of the House. The Prime Minister spoke perpetually about the dignity of the House being interfered with. His right hon. Friend the Member for Ripon (Mr. Goschen) was also rather taken with this argument at one time, for he said, on the 6th of March, 1882—

> "We rest the case mainly on this, that we must get rid of the scenes here, and in support of that, I shall vote for the Amendment of the hon. Member for Berwickshire."

But surely the House was not to be frightened. On the night when Mr. Bradlaugh was turned out of the House, the right hon. Gentleman the late Chancellor of the Duchy of Lancaster said—

> "I have been outside the House within the last few minutes. I will put this question to Members opposite. Where are they leading us? This is now a manageable affair. There were only a few thousands at the meeting last night in Trafalgar Square, and there are only a few thousands assembled outside the House to-day, but this is exactly one of those things which grow, and the House will, if it persists in its present course, bring us into some most unfortunate and calamitous position."

Surely this was a statement which no one ought to use. Was force at last to be found a remedy, and was violence to be recognized as a legitimate means of promoting legislation "otherwise than by argument?" One thing was quite clear—namely, that if the Leaders of the House abdicated their functions in the way they were now doing they were in great danger of not preserving the order and dignity of the House. It was clear, too, that if the words spoken by the late Chancellor of the Duchy of Lancaster were paraded outside those walls, it might be difficult for the House to control public opinion there. But as far as order and decency within the walls of the House were concerned, his right hon. Friend had shown how well and how easily they could be preserved if the House would only be firm. As far as the outside world was concerned, the right hon. Gentleman's prophecy had proved so untrue that not a single constituency had made Mr. Bradlaugh's cause their own. Indeed, there was no more fear of disturbance about this matter than there was about the Inland Revenue Bill. That argument ought, therefore, he thought, to vanish entirely from their minds. But then came their main argument. When his hon. and learned Friend announced his intention of bringing in a Bill, two years ago, he said, on the 2nd of May, 1881—

> "Without regarding the circumstances immediately before us, I believe there is a far stronger and better ground on which to base the introduction of this Bill—namely, that there should be no religious tests for persons entering this House."

Again, the Prime Minister, in his celebrated speech of the 22nd of June, 1880, made use of the following words, which he hoped the House would bear in mind:—

> "They are about to take up the position of objecting on religious grounds to the appearance

> of Mr. Bradlaugh in this House; for nearly two centuries this House has been the scene of conflicts of the very same kind. We have been driven from the Church ground. We have been driven from the Protestant ground. We have been driven from the Christian ground, and the final rally is made upon this narrow ledge of the Theistic ground."

He protested altogether against almost every line of that statement. He protested against the words "freedom of religion" being connected with this controversy at all. It was not a question of religion; it was a question of irreligion. In all the instances enumerated by the right hon. Gentleman relief had been granted to those who were unable to take the Oath in consequence of religious scruples. But this was not a question of the relief of religious scruples. It was a question as to whether a man who had no conscientious scruples —["No, no!"]—should be allowed to sit in that House. He should like to give an answer in Mr. Bradlaugh's own words to the Gentlemen who cried out "No!" Mr. Wynne, speaking of Archdale's case, in 1698-9, said—

> "In regard to a principle of the religion, he had not taken the Oaths nor would take them."

But what did Mr. Bradlaugh say in his letter of the 20th of May, 1880, which was now on the Table of the House. He said—

> "The religion of John Archdale and Joseph Pease forbad them to swear at all, and they nobly refused. No such religious scruple prevents me from taking the Oath."

He was unable to agree with the Prime Minister in regard to this being a "final rally." If the people of this country were fond of religious freedom they were just as fond of political freedom. If they were to alter the Oath because of conscientious or unconscientious objections, what would they do if a Member, returned for Northampton or some other constituency, were to object to the substance of the Affirmation and Oath? Were they to alter the law because a Member who had been elected for a constituency refused to make any declaration of allegiance to Her Majesty at all? The Prime Minister had better halt before he talked about that "final rally." He had heard a rumour, though he did not know whether it was well-founded, that this Bill was to be made not retrospective. He had also heard a question put that elicited an answer which would lead the House to the belief that if the second reading were passed some clause would be introduced so as not to make the measure retrospective. He was perfectly astonished to hear of any such thing. This matter had been before the Government for three whole years. The hon. Member for Northampton got out this Bill years ago. It was the hon. Member for Northampton's own Bill which the Attorney General tried to introduce.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he had never seen the hon. Member for Northampton's Bill.

SIR R. ASSHETON CROSS remarked, that the present Bill sought to extend the operation of the 41st section of the Act of 1866 to Members who wanted to take their seats in that House. Well, that was the object of the hon. Member for Northampton's Bill, and the Attorney General knew it. After having taken all this time to make up their minds and to bring in a Bill, Her Majesty's Government came forward at the last moment and said that in Committee they would propose an alteration. Why did they do this? Because they thought that by doing so they might catch a few votes. This was, in his judgment, a most despicable trick; and when they came to a division, he believed it would be found that the device of the Government had not been successful. If the Government thought they were wrong in their arguments, they had better give up the Bill altogether; but if they believed they were right, why should they put Mr. Bradlaugh to the expense of going to Northampton to be elected again? If they had the courage of their opinions, they ought to carry them to their legitimate conclusion. If Mr. Bradlaugh were put aside, there would remain no grievance to be redressed. It was impossible to get over the fact that the Bill was brought in for his relief, and for his relief alone. On the 1st of June, 1880, a Motion was proposed to allow any person to make Affirmation according to the existing law. Mr. A. M. Sullivan proposed that the Motion should be made prospective only; but the right hon. Gentleman at the head of the Government objected to that and divided the House, thus showing that at that time there was a decided opposition on the part of the Government to make any action prospective only. What, after all, was the broad ground of opposition to the Bill? It was no longer, be it known, to use the words of the Prime Minister, a judicial question; but it was a political and Constitutional question of the greatest delicacy and importance. It was whether an avowed Atheist should or should not be allowed to take his seat in that House. It was now no longer right to set aside those topics to the introduction of which the Prime Minister perhaps rightly objected while they considered the matter a judicial one—he alluded to topics which were classed sometimes as religious instincts, sometimes as religious principles, and sometimes as Constitutional policy. It would be found that the religious instincts of the country shrank from the Bill, that the religious principles of the people were opposed to it, and that the Constitutional policy of the vast majority of the country was against it. In rejecting the Bill the House was not asked to impose any new test; those who voted against the Bill would not be imposing any test at all. The House was not asked by rejecting the Bill to refuse relief to any person who conscientiously objected to the existing law. They were not asked to disturb the present state of things with which everybody, except Mr. Bradlaugh, was perfectly content. But what were they asked to do by passing the Bill? They were asked to take a decided step in the wrong direction, and to offend the consciences of the vast majority of the people of this religious country. And this for the purpose, not of relieving any one who had conscientious principles, but for the sole purpose of admitting to the House an Atheist. They were asked to remove that which all clung to as their only safeguard. The hon. and learned Gentleman said that when it was first imposed, the Oath was not imposed as a religious test, and probably he would have said that, if a religious test had been wanted, it would not have been a good one; but, though it was not so intended, it did not follow, as it had become a safeguard, that we should do away with it unless we could find some other that would constitute an equal protection. It might be that Atheists could sit in the House, and we could help it; but he did not see how that affected the question at all. They had no means of knowing the religious opinions of any man; they had no means of knowing in their corporate capacity whether Members were Atheists or not; but what they were now asked to do was willingly and knowingly to admit Atheists after they had, in their corporate capacity, full knowledge of the fact. This, he maintained, was a totally different thing. In daily life we had to do with many persons whom we might shun if we knew their opinions; but, so long as we were ignorant, none could blame us. The moment the knowledge was brought home to us, unless we shunned such persons, we might be considered by some as blamable for mixing with those whom we ought to shun. Many years ago, when relief was granted to the Jews in this matter, he heard that speech of Lord Lyndhurst, in which he recognized it as a tribute that a glass of water was brought to him by the Earl of Derby; and in that speech, which was an argument in favour of religious liberty, Lord Lyndhurst said—

> "Religious liberty I hold to be this, that every man with respect to office, power, or emolument, should be put upon a perfect equality with his neighbour without regard to his religious opinions."

But that was a very different thing from what was now proposed. The hon. and learned Gentleman throughout his speech had made a confusion between religious belief and the absence of religious belief—as if the two could be the same thing. Lord Lyndhurst was speaking of "religious opinions," of those which involved religion and belief, and he thought it was right especially to guard himself against being misunderstood by adding—

> "Unless these opinions are such as to disqualify him for the proper performance of the duties of office."

[Mr. GLADSTONE: Hear, hear!] The Prime Minister said "Hear, hear!" but the contention was that unbelief and infidelity ought to disqualify a man for the office of Member of Parliament, and he was very sorry that the Prime Minister did not agree with that view. It might be said that there had been Atheists who had been good men, and who had lived straightforward and honest lives according to their lights; but they could not argue from one individual to a class, and as a class he would not wish to see Atheists Members of this House. They were, at all events, lacking in that religious principle and those conscientious scruples which ought to be the mainspring of every action in private or in public life. As he stated, there had been Petitions from all classes and creeds against this Bill. In forwarding a Petition from the Civil Rights Committee of the Wesleyan Conference, signed by the then President, Mr. Benjamin Gregory, the then Secretary, Mr. Olver, said—

> "Allow me, on my own responsibility, to add that the Petition will convey but a very feeble impression of the alarm which has prompted it. Differing as the members of the Petitioning Committee do on all questions of Party politics, and scarcely less on the political bearing of various theological beliefs, there is but one conviction on the subject of the Petition. The Common Law of England, our 'unwritten Constitution,' has never yet allowed an avowed disbeliever in the existence of God to become an arbiter in matters affecting the lives or liberties of his fellow-subjects, even by service on a common jury. No change hitherto made, by whatsoever statute effected, has ever contemplated the possibility of an avowed Atheist seeking admission to the House of Commons. Whatever changes have been made have been always for the relief of persons who expressly acknowledge their responsibility to Almighty God for the due discharge of their respective trusts."

He trusted the House would throw out the Bill, and that the Prime Minister would be arrested in his reckless course by Members of all creeds and political Parties in every quarter of the House. The right hon. Gentleman would find out at last, though it might be late, that the divisions that had taken place during the three years of this controversy had been but the expression of honest and earnest opinions, which were the result of solemn convictions. He believed that those opinions were now strengthened, and that those convictions were firmer than they ever were before. Finally, he believed that the Prime Minister would find that he could not force this measure for the relief of an outspoken infidel upon an unwilling House in defiance of the deep religious instincts and the firm religious convictions of a religious and a thoughtful people. He begged to move the Amendment of which he had given Notice.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir Richard Cross.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. W. M. TORRENS said, he believed he spoke the sentiments of others as well as his own in saying it would be infinitely more agreeable to refrain than to take part in this debate; but, as the Representative of a large constituency, including many classes and creeds, he found it impossible to be silent. From the first outbreak of this painful controversy, his individual opinion had not changed. But, unwilling to add to its bitterness, he had hitherto abstained from giving public expression to the growing dislike of the sacrifice demanded, which animated those with whose feelings and convictions he was best acquainted. On a subject so grave, and in his view so important, he deemed it his duty to inquire further, and as far as possible to ascertain to what extent the antipathy preponderent in domestic, social, and religious life throughout his own borough, existed in other portions of the Metropolis. In concert with several hon. Friends on either side of the House, he had sought with care, but without resort in any instance to the ordinary means of publicity which might be said to win or warp opinion, to guage fairly and to estimate correctly the divergent leanings of the public mind. The conclusion thus arrived at did not pretend to be either authoritative or exhaustive, but it was irresistible from the diversity of the elements and the worth of the influences that contributed to its weight. A still wider interchange of sentiments left no room for doubt that throughout the Kingdom the same rooted aversion widely existed to any change of law or usage tending to dispense with the recognition by Parliament of the supreme authority of God. For the first time in the religious history of the country the best men of rival communions felt it consistent with their honour and their duty to subscribe the same significant remonstrance against the legislative change proposed. Beside their separate Petitions to both Houses of Parliament, he held in his hand their joint declaration against the Bill, containing the names of Churchmen and Dissenters, Catholics, and Protestants, men of small means and men of large possessions, 100 Peers of the Realm, 22 Bishops of the Church, the whole of the Bishops of the Catholic Church in England and in Ireland, Members of the Privy Council and eminent bankers, distinguished members of the Legal and Military Professions, leading Presbyterian and Wesleyan ministers, county magistrates and municipal authorities; and he therefore said, with the greatest respect for the Prime Minister, he really and truly believed that, in that sensitive and conscientious regard for public opinion which had always distinguished him, he had been unconsciously misled into believing that the people generally were willing to renounce a prescriptive observance which had always been regarded as a token and symbol of the national faith. That, however, was not so. It was idle to ask what was the theological value of the Oath, or to argue from its neglect or evasion in particular cases that no practical harm would ensue from its abject surrender to threats of open force. The brake did not always prevent the train from running off the line; but what would be said of the guard who was willing to place in the hands of some crazy third-class passenger the instrument on which was believed to depend the safety of all? The acceptance of this wretched Bill, the gist of which was the omission of the words "So help me God," was practically an abjuration of religion in the work of Parliament. As for the right of the House to fix and enforce a rule of admissibility and of conformity to its sense of dignity and order, nothing could be more incontestible in point of precedent or by the example of other Legislative Assemblies. From the oldest Constitutional country in Europe to the youngest, from Holland to Italy, there had always been a rule of admission, the application of which rested with each House of the Legislature. He hardly knew of a country, either in history or at the present time, which did not require an Oath from those who wished to participate in its Administration. When the Dutch of all classes and of all creeds revolted against Spain, they bound themselves by a solemn oath to defend the liberties of their country. They suffered, no doubt, certain sectaries, because they were especially religious men, to appeal to Heaven with uplifted hand in witness that their words of fealty to the new State were true, not because they scoffed at a Christian pledge, but because they believed in the worth of it. Such affirmation was equal to an oath; but what resemblance did it bear to a declaration by one who asked leave to make it avowedly, because he believed in nothing? In Italy, within the last few months, a law had been passed preventing anyone from taking part in the work of the Legislature who did not recognize the fundamental obligation of reverence for the Most High. The practice of the United States of America had often been quoted, and the late Chancellor of the Duchy of Lancaster had constantly told his countrymen to look to the States for an example. But the States of America, when they had won their independence after a desperate conflict, did not so completely turn their back on the traditions of the old country as to withdraw from the necessity of acknowledging the presence and the power of God. Every man, on election to the Senate, or the House of Representatives, took either an Oath to be faithful to the Constitution—[An hon. MEMBER: There is an alternative Affirmation.] No; but an equivalent Affirmation. The country, on emerging from a period of national suffering and struggle, did not allow men who trifled with conscience to be Members of the Legislature, and nothing could be less like an anti-religious alternative than a religious equivalent. If the Bill now before the House contained the words accepted by the Quakers when affirming under the Act of William III., if it acknowledged that faith which we and our fathers had always held, and he hoped our children would hold to the end of time, if it merely accommodated sectaries by the simple omission of the words "I swear," he, for one, would not stand there to oppose its second reading. It was the substance, it was the spirit, of the Bill that he objected to. He would not say it was the design of the Prime Minister, for he would not believe it could be the intention of the right hon. Gentleman; but, as a Representative of the people, he unhesitatingly said that it was the tendency of the Bill, demanded as it had been demanded, and conceded as they were asked to concede it, to begin the abjuring and ignoring of all responsibility to Heaven, and for that reason he objected to vote for the Motion of the hon. and learned Gentleman. He had been sur-

prised to hear the Attorney General say that every constituency had a right to elect whom it pleased who was not disqualified by law, and that the House had no power to question the right of the Member elected to take his seat. It appeared to him that the House had a perfect right to do what the Lords had done in the case of Lord Wensleydale. In that case, when, in a mistaken hour, Sir James Parke was made a life Peer, the House did not question the legality of the Act, but refused him leave to take his seat. Nor did the Liberal Ministry of the day, or the House of Commons, ever impugn the conduct of the House of Lords in thus acting. The Queen had the acknowledged right to nominate whom she pleased to be a Peer of the Realm, but the Peers had an incontestible right to decide who was eligible to sit with them as a Colleague in legislation. In another case, Lord Queensberry was held to be disqualified for election as a Scotch Representative Peer, and not being chosen at Holyrood, the question of his inadmissibility did not arise at Westminster. The House of Commons might, on similar grounds, take that course, and refuse Mr. Bradlaugh leave to take his seat, not because he was not Member for Northampton, but because, if the people of Northampton, with a knowledge of the Orders of the House, chose to elect a man whom they knew the House would not admit, it was their affair, and not that of the House. Their duty was not to Northampton, but to England; and he would go further and say, with every feeling of reverence, their duty was not to the mob in Palace Yard, but to consider how their conduct would stand in the great record when they were to be judged by God. The case of O'Connell had been referred to. He personally knew the great Tribune, and had in his possession curious memorials not only of his earlier but of his later years, and if ever they saw the light they would bear witness to the fact that, whatever his violence or excitement of language or temper might have been, in heart he was devoted to the principles of order and Constitutional liberty as opposed to anarchy, and to the growth of religion as opposed to Atheism. In O'Connell's early life he had been painfully impressed with the demoralization and madness to which France had been brought by Atheistic revolution. Returning to Ireland in the spring of 1793, he met on shipboard two young men of talent and education from his own country, who showed him with a boast the handkerchiefs they had dipped in the blood that fell from the scaffold of Louis XVI. Not long after the misguided brothers Shear paid the forfeit of their lives for treason. O'Connell said that was a lesson to him ever to warn the people of the dangerous consequences of abandoning religion. He came to the Bar of that House, and asked to be allowed to sit for Clare before the Relief Act was passed. Every one knew he would be refused, because it would be a straining of the power of legislation to make the law retrospective. O'Connell retired without a murmur, and was re-elected, and when Constitutional liberty was extended, he came and took the Oath like a Christian man. If they wanted to get rid of Oaths altogether, there might something, no doubt, be said for it. But, in that case, let a general Bill be brought in, not one insulting to the feelings of the nation, but a Bill to obviate profanation of the Oath. Let them begin by wiping away affidavits for all sorts of purposes, and by teaching the people that oaths were not essential to judicial procedure. But let not the Legislature of the land begin, as they would if they passed this Bill, by telling the people that it was a matter of indifference whether a man was sworn or not. They were told that this was the final step in the direction of religious liberty. He could not find words to express his amazement at such a mode of reasoning. When Mr. Pease came to the Table, was it to make a mockery of Oaths, to turn the whole thing into a parody or a burlesque? He came with the gravity with which he would have attended a meeting of his own sect, and prayed to be allowed to make an Affirmation, not as an alternative, but as an equivalent to the ordinary obligation. He regarded his solemn Affirmation, made in the presence of that House, as made in the presence of the Most High. And so with regard to Baron Rothschild. He had himself sat in that House until 4 o'clock in the morning, dividing again and again with Lord John Russell in favour of admitting the Jews. Baron Rothschild did not claim his seat because he wanted to subvert religion or to destroy the dynasty. He asked nothing more than to have the harness of political obligation fastened tighter upon him by being allowed to take the Oath in the way most binding on his conscience. He believed that the growing conviction of the people of England of every sect, was that they had far better stay as they were even though they lost the services of a Member for Northampton. What was the argument for disregarding Oaths altogether? The Attorney General argued that, having made these concessions, they ought, for consistency's sake, to take another step onwards regardless what the consequence might be. Because, in the enjoyment of the healthful air of the breezy downs, they did not fear to approach the verge of the cliff, were they to be told that they must take one step further over the precipice, though that involved destruction? The hon. and learned Gentleman also said that the opposition to this Bill, was the opposition of men who wished to prolong scenes in that House, and that it was instigated by political aims and objects. Well, if this were a political question, he would take the Attorney General at his word. Before the Member for Northampton was a candidate for that borough he issued a work, not about Atheism, but about the Constitution of the Realm, and since he had been re-elected he had brought out, under his name, a sixth edition. The object of that work was to secure the annulling of the Act of Settlement and the Act of Union, as preliminary to overturning the Throne. So that, if they were to speak of first steps, this Bill was the first step to the revolutionary changes which the hon. Member for Northampton had the courage to propose. The day might come, he hoped he should not be there to see it, when, as in France, old England would abjure all she had reverenced and held sacred for centuries; but when that day came they must have invented some better philosophy than Christianity, and something wiser to teach in their secular schools than the Gospel—something that would outshine all the learning and teaching of 1,800 years. He was not in favour of such changes, and he did not believe that they met the approval of the Kingdom generally; and, therefore, he was quite sure it was not the duty of that House to disregard the feeling of the people, which time out of mind had been in favour of binding each Member of the Legislature with his fellow-Members by the most sacred ties. Those who thought with him preferred the deliberate opinion of the middle classes of the country, to the effervescence of Trafalgar Square and Northampton Market Place. He asked hon. Gentlemen who were reluctant to dissociate themselves from the Prime Minister on this question, to inquire in their own hearts what respect for law would remain in the hearts of the people if this Bill were passed. Nearly every man in the country, if asked what was meant by right and wrong, would refer his interrogator to the principles and precepts of the two Testaments. Was it, then, not material that they should only have among them in that House, where laws were made, men who acknowledged the binding force of the laws contained in those Books? He had heard it said that this Bill was the first step towards getting rid of the "old superstition," and so it would be looked upon by those who turbulently asked for it. Even if they thought the Bill justified, even if they voted for it, they could not doubt that the persons who were to be directly benefited and privileged by it would rend the air with their exultations, and would boast that they had browbeaten the House of Commons, and had executed the threat which they loudly proclaimed, that they would make the House succumb. The attempt to break the door had failed over and over again. What was the remedy? What was the alternative? The proposal to take it off its hinges and to let in everybody whatever they thought, and whatever they believed or disbelieved. This was a small thing, intrinsically, to look at on paper; but it was a very great thing in the manner in which it ought to be regarded, and in the consequences to which it might lead. Time out of mind an Oath of Allegiance had been the test of admissibility to participation in the Business of Parliament. The spite of sect and grudge of Party had sometimes overladen it with unworthy disabilities whereby Catholics and Dissenters were wronged. These excrescences had happily been cleared away, till nothing now remained but one simple patriotic pledge of loyalty; fruitless grafts of bigotry and faction had been lopped one by one, but they should therefore all the more readily concur in guarding from mutilation the venerable stem.

Mr. BAXTER said, he had listened with great attention to the very interesting but inconsequential speech of his hon. and learned Friend the Member for Finsbury (Mr. W. M. Torrens), which was one of those highly Conservative orations with which they had of late been favoured so often from the Liberal side of the House. Interesting, however, as the hon. Member always was, he was not always accurate. With regard to what he had said respecting the Oath in the Italian Parliament, the Italian Oath, singularly enough, was very much the same as the Oath sworn at the Table of that House, with the exception of the very words that had been objected to—"So help me, God." That was a sample of the accuracy of his hon. Friend. But what had always appeared to him—for he was an old enough Member of the House to remember the long discussions and the many weary days spent in discussing the admission of Jews to Parliament—and appeared to him now, passing strange, was the exaggerated importance which hon. Gentlemen seemed to attach to the form of Declaration made at that Table by hon. Members before taking their seats in the House. The Attorney General had told them the history of the matter to-night; but the original meaning of that ceremony had been entirely lost sight of, and the Oath of Allegiance had now become, in the minds of many people, a religious test. They had lived to witness this extraordinary spectacle. The whole of the Opposition side of the House, and some weak-kneed people on that side of the House too, had argued themselves into the belief that the original intention of the framers of the Oath was to make it certain that Parliament should consist only of Theists. All he could say was, that if that was their original object, they had bungled very much in their manner of bringing it about. For all history, as had been fairly shown by the Attorney General, and, he would add, as common sense too, told them that the Oath, as taken at that Table, was in no sense or manner whatever part of a theological creed. From the speech of the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross), one would suppose that they were sitting in Convocation, or in the General Assembly of the Church of Scotland. His conviction was that they had nothing to do with the religious opinions of any man whom a constituency chose to send to Parliament. The Oath had been, and was now, solely political. It was originally an Oath of Allegiance to the Reigning Family, and was intended to keep Jacobites out of the House. But he was prepared to go a great deal further, and say that, in his opinion, it was of no use at all. No one would accuse Gentlemen who held theoretical Republican opinions in this country of any desire to overthrow the Monarchy. There were no Pretenders to the Throne of the country; and, that being so, although he came from a part of the country supposed to be very straight-laced in religious matters, he confessed he should have been very much pleased if the Government had introduced a Bill for the abolition of these Oaths and Affirmations altogether. There was nothing whatever in the circumstances of this country at the present moment, nor, he trusted, was there likely to be for many generations to come, to justify them at all. They had no conspirators here, and if they had conspirators who were plotting against the British Constitution, they would no more be kept out of that House by the utterance of these words than Revolutionists had been kept out of the different countries of Europe by the passport system. They might depend upon it that, notwithstanding the fervent religious outbursts of the hon. Member for Finsbury and others, there was a great deal of truth in the words of Hudibras—

> "Oaths are but words, and words but wind,
> Too feeble instruments to bind."

Great stress had been laid upon the vast multitude of Petitions that had been presented. He was free to admit that there were thousands and millions in this country at the present moment who were under a most profound delusion in regard to this whole subject. And how had this delusion been brought about? Why, it had been fostered and encouraged by hon. and right hon. Gentlemen on the other side, who went about the country telling their constituents that at the present moment Atheists could not get into Parliament, and that so anxious was the present Government to get that class of people in, that they had introduced a Bill to enable Atheists to take seats in that House. In all his experience he had never known such misstatement of a case. The right hon. Gentleman the Member for South-West Lancashire described the words of the Oath as the safeguard of the British Constitution. If the hon. Member for Northampton had chosen to take the Oath at the beginning of his agitation, as he did now, they would already have seen the dreaded Atheist in Parliament, who, they were told by Members opposite, could never have got in except with the aid of such a Bill as this. The hon. Gentleman had not originally, as he was now willing to do, and might have done at all times, come forward and taken the Oath; being well advised, he had taken a different course. The hon. Gentleman might have desired great notoriety; he might have courted to become a popular idol, and might have had an eye to being made a martyr and a hero. Perhaps the hon. Gentleman knew that there were foolish people enough on both sides of the House to play his game for him. He hoped to be carried on the shoulders of the people by their means, and he must say that his sagacity had been rewarded, for they had given him a reputation and a notoriety that he never had before. They had enabled him to attain the objects of his ambition, and to sell a good many of his books. Well, but they in this House ought to know a great deal better, and he objected to men deluding the country, telling them that no Atheist could get into the English Parliament, just as no Atheist could get into the Italian Parliament. He ventured to say there was no man who knew better than the hon. Member for Finsbury that there were many Members of the Italian Parliament who did not believe in Christianity, and many who did not believe in a Divinity. As to Atheists getting into Parliament, surely they could not be kept out by these few words. Why, did hon. Gentlemen not know—it was time the country knew, at all events—that many men had come up to that Table and taken that Oath who did not believe in God—["Names!"]—men who were known to be not only infidels, but Atheists, had not only sat in that House, but on the Treasury Bench as Secretaries of State. They were not the kind of people to stick at trifles; and as they could not be kept out already, his argument was—"Of what use are these words?" There were two or three classes of people that these words kept out. They kept out gentlemen who wished for their own purposes to be able to gain great notoriety by refusing to take the Oath, and thereby making what had been described as a "scene," and they kept out a few very excellent, conscientious people, who objected to this kind of swearing at large. The professed unbeliever walked up the floor of the House and took the Oath very much in the frame of mind of the well-known wit, who when asked if he was prepared to sign the Thirty-nine Articles of the Church of England replied, "Certainly; forty, if you choose." The country ought to know that scores of men had taken the Oath at the Table of the House of Commons who never listened to it, who did not know what it was, and who had not the slightest idea of its purpose. The Oath was an empty form. He stood there to maintain the right of every constituency in this Empire to return any person they chose without legal disqualification to be a Member of this House. [An hon. MEMBER: O'Donovan Rossa?] They were completely exceeding their powers and acting *ultra vires* when they dared, directly or indirectly, to impose any test on a man's religious opinion. He always disliked to hear the solemn realities of religion discussed in this House. He did not know what his fate might be; but he believed the young Members of this House would live to see the day when ecclesiastical topics would not be discussed in that Assembly, any more than they were in the Congress of the United States of America. Some hon. Members were looking forward to damaging the Ministry in regard to this Bill, but they could not prevent it passing in the end. The legislation of England never went back. During all this century they had been removing one after another those obstacles which stood in the way of absolute liberty; and it was no more in the power of those narrow ecclesiastical bodies—Roman Catholic and Protestant, Established and Dissenting—to prevent the passing of a measure like this than it was in the power of their predecessors to convince mankind that the world was not round, The right hon. Member opposite (Sir R. Assheton Cross) quoted a lamentable production in the shape of a Petition from the Conference of Wesleyan Methodists. The Wesleyan Methodists had lived to be ashamed of many of their doings, and he believed not many years would pass over their heads before they would be ashamed of the Petition which they had presented to this House against the Affirmation Bill. He was happy to think that even in so-called bigoted Scotland, Town Councils had petitioned in favour of the Bill, and he was delighted to see that a deputation of the three Dissenting Denominations in England had also unanimously petitioned in its favour. They did so because the English Voluntary Dissenters understood, and had always understood, the true principles of religious liberty; and it was on these principles, and these alone, that he gave his most cordial support to the Motion of the hon. and learned Gentleman the Attorney General.

Mr. DALRYMPLE thought that, notwithstanding the remarks which had fallen from the right hon. Gentleman who had just spoken, the speech of the hon. Gentleman the Member for Finsbury remained unanswered. Allusions to "bigoted Scotland," the Wesleyan Denomination, and so forth, would not avail much in answer to that remarkable speech. He agreed with one remark made by the right hon. Gentleman—namely, that he disliked to hear the solemnities of religion discussed in that House. But if these were discussed, whose fault was it? He was surprised at the language used about Petitions. He had always observed that if Petitions were in favour of the views of an hon. Member, they were of the greatest importance; but if otherwise, they were of no importance; and, accordingly, the right hon. Gentleman had described the Petitioners in this case as under a delusion in thinking that Atheists were excluded from Parliament, while he had stated that there were dishonest Atheists who had not been excluded from the House by the Oath, nor even from the Treasury Bench. The right hon. Gentleman had alluded to the words of the Oath as "miserable words;" but they were, at all events, necessary to the taking of his seat by a Member of that House, and he should have thought that was hardly a proper term to use with regard to them. There were two classes who would advance with a light heart to the support of the Bill before the House. One of the classes consisted of those who thought that anyone, no matter what his opinions were, ought to be allowed to take his seat if elected by a constituency; and the other class were those who, having had scruples about the Bill, had had them relieved by the undertaking of the Government that the Bill should not be retrospective. As to the first class, he knew that extreme opinions were held by some hon. Members; and he remembered seeing, on one occasion, the senior Member for Glasgow (Dr. Cameron) reported to have said that if Beelzebub were returned to Parliament, he would be in favour of his taking his seat. That was an extreme case, no doubt, to take, and it clearly pointed to the return of persons of well-known bad character to this House, and the hon. Gentleman did not shrink from such a possibility. He thought that if there was one thing which would less than another commend the Bill to the House, it was the notion that hereafter it would be open to the constituencies to return anyone, no matter what his opinions were, and that, as a matter of course, he would be allowed to take his seat. As to the second class who would support the Bill, he would say that it was not until the Government had gone through an extraordinary variety of gyrations and transformations of mind on the subject that they resolved the Bill should not be retrospective. He was told that this declaration satisfied the mind of many who would otherwise have been opposed to the Bill. The intention of the Government, as he understood, was to get rid of the association of the Bill with a particular individual, while, at the same time, this particular individual had only to go and obtain re-election from the constituency and come back and take his seat in the House. He should like to ask whether this Bill would have been introduced or pressed upon the attention of Parliament if Mr. Bradlaugh had not existed? Whatever change of opinion the declaration of the Government in regard to the Bill, in view of its non-retrospective character, might make upon the House, the country, he ventured to say, was not deceived by the change of plan. The country understood the circumstances under which they were asked to accept the Bill. As regarded the Government itself, what were the circumstances? They had all along been determined to get Mr. Bradlaugh seated. They were willing that he should affirm, even at the risk of his coming into collision with the Courts of Law; and they were willing that he should take the Oath, even though he did so without attaching any meaning to it. In what position had the House been placed? The authority, the Rules, the Order, and feelings of the House had been outraged again and again. This was a time when the old respect for the House and the authority of the Chair was not what it used to be, and yet no such outrages had been inflicted on the House in connection with any other matter. It had been said that the Bill was not retrospective; but he observed that, in the last day or two, a particular individual still regarded it as specially applicable to himself, for he announced that if the Bill was not pushed forward he should take his seat, asserting that he was entitled to do so by law. Whether Mr. Bradlaugh went through re-election or not he did not know; but, at all events, he considered the Bill specially applicable to his own case, and none other. The Attorney General had referred to the old forms used in the House, and it had struck him that all of that reference tended to show how reasonable was the language of the present Oath. Just because the language of the Oath in former days was such as we would not think of imposing at the present time, the language of the Oath at the present time was reasonable and unambiguous. How wide was the door which the Oath as it was at present threw open to all, however widely they differed in a thousand ways. It would be as undesirable, as, indeed, it would be impossible, to invent an Oath or maintain the existence of an Oath which excluded any of those varieties of opinion which existed among Christians, whether Protestants or Roman Catholics, or among Jews. The present Oath violated no feeling entertained by Christians of any denomination or by Jews. It embodied the words of Holy Scripture, "Fear God and honour the King." It was as far removed in its simplicity from the subtleties of the school men and from the shibboleths of the sects as any words that could be invented, and it was such a declaration as that the Prime Minister desired to abandon, to render optional, or to overthrow. The Archbishop of Canterbury said, the other day, that Parliament would not become un-Christian if the present Oath was abolished. Very possibly not, because the present Oath did not make Parliament Christian. He had observed the other day that Mr. M'Coll, a clergyman who was a great admirer of the Prime Minister, said that the present Oath was not only not Christian, but anti-Christian, and supported that statement by pointing out that in former days the Oath contained the words "on the true faith of a Christian." Hardly anybody but an ecclesiastic would have ventured to make such an assertion. No one contended that the Oath was a bulwark of Christianity; but it was a recognition of God, and that was no small matter. He had also seen it stated that the Prayers with which Parliament was opened every day were of far more importance than the Oath. Those Prayers concerned the House as a whole, and the Oath was taken by the individual Member; but he did not know how long Prayers were likely to be used if there were such an incursion of persons into the House as they were told were waiting to enter if the present Oath were changed. Nothing could be more abhorrent to him or further from his intentions than to inquire too closely about the opinions of any man; but if they were called upon to enter into this invidious task of criticizing the opinions of individual men, whose fault was it? It was not the fault of those who sat on the Opposition side of the House. The Attorney General had made frequent allusions to religious belief, and incapacity on grounds of religious belief. But this was not a question of religious belief. It was a question of irreligious belief. The proposal before the House emphasized and illustrated the sort of case to which the present Oath was obnoxious, and which the alteration of the Oath was intended for all time coming to embrace and to accommodate. All assertions about a baffled and disappointed electorate seemed to him to be of comparatively small importance compared with the importance of the principle which they were asked to abandon in the face of the whole country, at the bidding of the Government of the day. It was said that the people of this country would misunderstand the placing of any obstacles in the way of a Member who had been returned to Parliament. There was likely to be a greater misunderstanding on the part of the people in another direction. If this Bill passed into law, the country would say that Parliament attached but little importance to the fundamental principle of human belief—namely, the existence of a God who made, and who would judge the world. In a speech which the right hon. Gentleman at the head of the Government was reported to have made at Newark, in 1837, it was maintained that avowed unbelievers and men who had no belief in Divine revelation were not fit to govern the nation, whether they were Whigs or Radicals. For himself, he was one of those who preferred the earlier teaching of the right hon. Gentleman on those subjects. They were asked to carry out this legislation in the interests of toleration and of liberty, and it was said that those who proposed it were liberal-minded, and those who opposed it were intolerant and narrow-minded. He had lived long enough to think that there was nothing so illiberal as Radicalism, and nothing so often misused as the name of Liberty. They were asked to give in this Bill a new display of hostility to tests. They had lighted upon a time when everything novel and eccentric and abnormal in opinion was indulged, and flattered and worshipped. One thing that must not be looked for was indulgence and toleration for those who held ordinary religious opinions. This case they now had before them was apparently not strong enough in itself, because it had suddenly been discovered that there were numbers of persons waiting outside the doors of Parliament who could not enter until the Oath was abolished. All he could say was that they had never heard of these persons until the case of Mr. Bradlaugh arose. Another surprising assertion had been made by the right hon. Gentleman the Member for Montrose (Mr. Baxter) to the effect that troops of dishonest Theists came into the House at present. Nothing could be more repugnant to him than to question in the remotest degree what was the opinion of anyone who sat in the House. But if the view of the right hon. Gentleman were correct, it was a very shocking admission, and a very barefaced assertion on the part of the right hon. Gentleman, and one that ought not to be made in any language of triumph and of self-congratulation, but with shame and regret. The right hon. Gentleman made light of the opinions expressed outside of the House by Petitions, the only way in which they could be brought under the notice of the House; but when it could be stated that at the end of last week there were 3,700 Petitions, with 513,000 signatures, it was a fact to which attention might well be drawn, and which no sneers by the right hon. Gentleman the Member for Montrose could avail to dispose of. Again, the right hon. Gentleman, to his astonishment and indignation, referred to "bigoted Scotland." He hoped the epithet that a Scotch Member chose to level at Scotland was not wholly deserved. He was sorry that the right hon. Gentleman's experience justified him in applying that epithet to Scotland. He had also observed that any movement in which clergymen were interested was supposed to be of an especially narrow and degrading kind. When there was an election for one of our great Universities it was said the clergy came forward as if they were so many sheep, and as if the fact that they did act together was a proof of their narrow-mindedness and want of enlightenment. So it was in this case. The right hon. Gentleman had sneered at the strong feeling displayed by the clergy on the subject of this Bill. But the clergy of the country were not so absolutely identified with ignorance and prejudice and narrow-mindedness as it was convenient to suggest that they were in view of legislation of this kind. The number of Petitions against this measure was taken by those who were in favour of legislation as a proof that there was prejudice excited on this subject and unscrupulous partizanship against the great and good Government now in Office. Without attaching undue importance to the Petitions and to the expression of opinion at public meetings, and other signs of that kind, he would say that they would receive attention from this House and from the Government if it suited their purpose. The Petitions were in an enormous proportion hostile to their legislation. He wanted to know whether this was to be made a Government question or not, or was to be another of those open questions of which they had heard so much lately. Were they to have what was called the "confidence trick" played upon them once more? Was the acceptance or the rejection of this Bill to be a proof of Confidence or Want of Confidence in Her Majesty's Government? He would suggest that this would constitute an admirable cry for the Liberal Government to go to the country with. He had at the last Election lost his seat, but regained it three months afterwards, and it was during that brief period that the first discussion in reference to the case of Mr. Bradlaugh took place in Parliament. He remembered that it was said that he owed his election to the feeling excited among the people of Scotland in reference to Mr. Bradlaugh. For himself, he did not believe he owed it to anything of the kind; but for the sake of argument he would assume it was so, and if that were the case it would give some reasons why he should oppose the present legislation of the Government. Certainly, however, the constituency which he had the honour to represent had petitioned against this Bill in a very remarkable manner, and there was nothing more remarkable in connection with the Petitions which he had received than the extraordinary variety of Petitioners who signed them. They had been threatened by the senior Member for Birmingham that if this measure were rejected they would be "landed in a sea of trouble." For such a master of English, that seemed a singular expression; at any rate, he did not think that such legislation as this would deliver either Party from trouble. Great efforts would be made to dissever this measure from the case of the hon. Member for Northampton. He thought the Government did not intend it to be a Bradlaugh Relief Bill; but the Attorney General, at the close of his speech, made a powerful appeal to the House, grounded on the fact that Mr. Bradlaugh had obtained notoriety in consequence of the delay that had occurred. If that was not identifying the case with Mr. Bradlaugh, he did not know what was. It was because this case was inseparably connected with Mr. Bradlaugh that he should oppose the Bill to the utmost of his power.

MR. O'SULLIVAN was astonished that a pious, good Christian like the Prime Minister, at a time when infidelity was spreading in the land, should bring in a Bill to facilitate the admission to the House of a man who denied the existence of a Supreme Being. The Irish Party had often attempted to bring before the House the subject of the distress in Ireland; but they had failed to obtain an adequate amount of attention, while weeks had been devoted to this subject. The fact was, the shoemakers were the most unmanageable class in society; they were opposed not only to Christian doctrine, but to all doctrine. Speaking on behalf of the Irish Catholics, he would say that they had no objection to any particular creed; but they felt it would be lowering the position of the House if they were to give up the last remnants of their belief in a God by assenting to the Bill. For these reasons he should feel it his duty to oppose the Bill as far as he possibly could.

MR. HINDE PALMER regarded this as a purely secular question, and did not think that the House had any right to constitute itself a Court of Conscience. The manner in which the oaths were administered did very much, in his opinion, to lessen the reverence in which they were held; for instance, the way in which Members of Parliament came up in great batches to take the Oath did not tend to increase the respect due to it. The Commission of 1867, on which the Duke of Richmond, the then Bishop of Oxford, Mr. Russell Gurney, Mr. Justice Shee, and Mr. O'Reilly sat, came to the conclusion that all promissory oaths might, with advantage, be abolished. They reported in these terms—

> "Oaths of Allegiance have seldom, if ever, been found to be of any practical benefit to the persons, or the institutions, whose safety and stability it has been sought to maintain by imposing them. In peaceful and prosperous times they are not needed; in times of difficulty and danger they are not observed. We are therefore of opinion that promissory oaths should, in all cases, be abolished, and that in those few and special cases where it appears desirable that a promise should be made, it should be made in the form of a declaration."

Even the dissentients from the Report of that Royal Commission, who might be supposed to be in favour of the existing system, expressed themselves to be of the opinion that Oaths of Allegiance had seldom been of any practical benefit, as in times of quiet they were not needed, and in times of danger they were not observed. Among those dissentients were to be found the names of Lord Lyveden, Mr. Bouverie, Mr. Lowe (now Lord Sherbrooke), Sir William Stirling-Maxwell, and Dean Milman. The tendency of modern legislation was to get rid of oaths. Formerly, about 300,000 oaths used annually to be taken in the Customs and Excise Departments alone, all of which had since been abolished. The House itself had, by solemn Resolution, decided that Mr. Bradlaugh should be allowed to affirm, no doubt with the reservation that he should, by so doing, be subject to any legal penalty which he might incur. But the House thereby recorded its opinion that Affirmation was sufficient as a pledge of allegiance, and so far as the fidelity of the engagement and its binding validity were concerned, they accepted the Affirmation. In pursuance of that Resolution, Mr. Bradlaugh had sat and voted in that House, and proved a useful Member. He hoped the House would agree to the second reading of the Bill.

Mr. A. F. EGERTON said, that as he had been recently returned to that House, after a contested election, he was in a good position to judge of the feeling of the country on the subject. The Conservative Party had been blamed by the right hon. Member for Montrose because it had been said by their speakers that the Liberal Government was doing all in their power to get Atheists into Parliament. But he (Mr. A. F. Egerton) could not admit that there was any inaccuracy in the statement thus impugned, because, to his mind, that was exactly what the Government were doing. Let them look at the position of that House, which was one of the highest Courts in the country. If witnesses were examined on Election Petitions, he thought they might fairly claim to swear or affirm on the same terms as Members of Parliament; and if this claim were allowed in the case of such witnesses, the privilege ought logically to be extended to every Court of Law in the Kingdom. At present, no form of Affirmation excluded all idea of a Supreme and Supernatural Power, and he ventured to say that it would be extremely dangerous to introduce the principle embodied in this Bill. He would not go into the argument, as to whether oaths should be abolished throughout the country; but he might remark that in the case of the great majority of witnesses an attestation on oath had a far greater effect on them than a mere promise to tell the truth would. If they practically abolished the appeal to a Divine Power in that particular Chamber, the effect of the abolition would have a far greater extension than most of the supporters of this measure would wish to give it. He noticed that the hon. Member for Kirkcaldy (Sir George Campbell) had placed on the Paper Notice of an Amendment to abolish all Declarations and Oaths taken in the House of Commons. It might be that there were a few Republicans in that House who considered that a Declaration or an Oath of Allegiance was an improper one to take; but, for his own part, he held to the belief that the great majority of his countrymen thought the Oath or Declaration of Allegiance with respect to either House of Parliament, was neither immoral nor improper. He hoped that when the Bill went into Committee—if, indeed, it got that length—the hon. Member for Kirkcaldy would bring forward his Amendment, and he was sure he would then be convinced, by the general feeling against it, that there was still an opinion in this House that loyalty to the Crown was one of the qualifications which every hon. Member ought to possess. Every unprejudiced person must admit that the Conservative Party could not have taken any other course than that which they had taken in these discussions, under the guidance of the right hon. Baronet the Member for North Devon (Sir Stafford Northcote). It was said that Mr. Bradlaugh ought not to be excluded now, because he could not be prevented from taking the Oath and his seat in the next Parliament. He saw no force in that argument. In the next Parliament, no doubt, the Member for Northampton could come forward, and take the Oath, according to the present law, and he agreed that no Member would have a right to ask him a question with regard to it. It was not the business of any member of that House to make an inquisition into the private opinions of any other Member; but a man's open declaration must be taken as a proof of what his private opinions were. Again, it was said that there ought to be no

Oath, because a considerable number of Members of Parliament secretly held the same opinions as Mr. Bradlaugh; but that, he contended, was a matter which the House could not inquire into. He believed that if the Bill passed, there would be a revolution, not only in that House, but in every Court of Justice throughout the Kingdom; that it would lead a vast number of people to believe that the oaths taken in Courts of Justice were of no value whatever, and it would bring about a far greater amount of perjury than there was at present. Therefore, for the reasons he had stated, he hoped the House would reject the Bill by a large majority.

MR. HUGH SHIELD said, he would remind the hon. Member who had just spoken that the Bill did not propose to abolish the Parliamentary Oath, which would remain available for 99 out of every 100 Members who entered the House. It would simply create an alternative machinery for those who objected to the Oath. On several occasions during these debates hon. Gentlemen on the Opposition side had invited Her Majesty's Government to solve the difficulty by legislation. From the kind of opposition offered to this Bill, it was obvious that legislation would always be inopportune so long as it could be said that its object or effect would be that of admitting Mr. Bradlaugh. If the raising of the cry of "A Bradlaugh Relief Bill" was to render legislation inopportune, he was afraid they were far distant from the time when it would be otherwise than inopportune. It had been said by the hon. and learned Member for Launceston (Sir Hardinge Giffard) that what was required was legislation of the kind that enabled Sir David Salomons to take his seat; but when such legislation was brought forward, then it appeared that the Opposition were not anxious that the question should be solved by the very means indicated by a late Law Officer of the late Government. The only alternative was the indefinite prolongation of a controversy that was fatal to the peace of the House and compromising to its dignity, but which was commended to the Opposition by the possibility of using it to damage the Government. It was not to be denied that the Petitions against the Bill reflected a wide dislike to it; but this display of feeling was raised under a complete misconception as to the real issue raised by the Bill and the attitudes of those who advocated it and of those who opposed it. It might be that if it had not been for Mr. Bradlaugh the necessity for amending the law might not have arisen. Still, it must not be inferred that the feeling shown by the hostile Petitions was the only one of which Parliament was bound to take notice. In the fierce light of this controversy another feeling had deepened into a conviction, and it was that the law was eminently unsatisfactory and called for amendment quite apart from the manner in which it would affect Mr. Bradlaugh. All Parliament sought by the Oath was to obtain an assurance of loyalty, and not a profession of religion, from Members who entered the House; and had Mr. Bradlaugh not been so honest, as some thought, or so egotistical, as others thought, he might have come to the Table and repeated those words, and no one could gainsay his right to take his seat. In this, as in all analogous cases, the purpose of Parliament was effectuated by the body and substance of the Oath, and not at all by the form of the sanction. Hon. Members knew very well that, as things were, the Oath altogether failed to exclude Atheists; and that many men of honour and blameless life, whose views of a personal Deity were agnostic or negative, already sat in the House. ["Name!"] That was undoubtedly the fact; there were agnostic Members of the House whose attitude towards the Oath was precisely the same as that of Mr. Bradlaugh. He agreed with hon. Members opposite that there was profanity in compelling an avowed Atheist to make an appeal to God; but the profanity was not on the part of the Atheist, it was committed by those who insisted on the performance of such a ceremony. It was idle to say that every man must be presumed to be a believer till he avowed the contrary; for it was perfectly well known that in many cases no such presumption was possible, and that the Oath was taken with the full consent of hon. Members opposite by many men to whom the words conveyed no meaning. The Bill, with so many unbelievers already in the House, was not a Bill for the admission of Atheists. It sought to reconcile existing facts with the religious sense of the House; to get rid of a profanation that shocked the House at large; to rescue the House from a conflict with the constituencies; and to preserve the reverence and decency of its proceedings.

Baron HENRY DE WORMS: Sir, I cannot give a silent vote on this occasion, for, if I were to do so, I might appear to justify the argument used against Jews and Roman Catholics before their disabilities were removed, that if admitted to Parliament they would show themselves insensible or hostile to the religion of the country. It is because I consider it my duty to protect the religious feeling of the country that, however I might differ from the general body of my countrymen in religious opinion, I feel bound to address the House in opposition to a Bill, the tendency of which is to outrage the feelings of men of every religion. I failed to gather from the speech of the hon. and learned Member for Cambridge (Mr. Hugh Shield) whether he was in favour of the Bill or against it. Some of my hon. and learned Friend's arguments I welcome as supporting the view which I myself entertain. The hon. and learned Gentleman said this particular case was precisely of the same kind as that of Sir David Salomons.

Mr. HUGH SHIELD explained that he was quoting the words of the hon. and learned Member for Launceston (Sir Hardinge Giffard), who said that the legislation needed was of the same kind.

Baron HENRY DE WORMS: I would ask whether the hon. and learned Member did not adopt those words, because, if he did not, then where was their relevancy? But the two cases are entirely different. In the case of Sir David Salomons it was not proposed to pass an Affirmation Bill, the question being whether the Oath containing the words "on the true faith of a Christian" should be omitted, so as to enable conscientious Jews to take it. But when Mr. Bradlaugh, on second thoughts, came to take the Oath, he would have taken it without any scruple or omission whatever. There was another argument used by the hon. and learned Gentleman. He admitted that the Petitions against the Bill outnumbered those in its favour, and the extraordinary inference he drew from this fact was that this was no representation of public opinion, and that the House ought not to be influenced by it. That statement of my hon. and learned Friend, as it seems to me, was somewhat damaging to his case. The argument has also been pretty extensively used that Mr. Bradlaugh was entitled to take his seat because the constituency of Northampton had returned him, and because he was under no legal disability; but this argument is entirely fallacious. It is absurd to say that there is no legal disability. The conditions which the House has laid down as conditions precedent to a man taking his seat are as much of a disability in the case of Mr. Bradlaugh as in the case of a felon, a lunatic, or a woman. A man not qualified is exactly on the same footing as a man disqualified. It is said, also, that some time since a Bill was passed enabling Affirmations to be made. But if this question of admitting Atheists was considered so important and burning a question, then how was it that this modification of the law was not made in their favour? Atheists existed when that measure became law as well as now, though possibly they were not so obtrusive and aggressive, and did not thrust themselves forward by the dissemination of disgusting publications. The fact is that at that time Parliament never contemplated the possibility of admitting to the House men who openly avow their disbelief in a Supreme Being. It may be that some men now in the House are Atheists; but, if so, they did not, like Mr. Bradlaugh, object to take the Oath on that ground; and we must judge men by their public professions, not by their private reservations. I would remind the House of what has been said on this subject by a great authority. On the 25th of May, 1854, during a debate on the Oaths Bill, an eminent statesman made use of these words, which will be found in *Hansard*—

> "I know there are some Gentlemen here who think we should come to the discharge of our duties without any oath. I do not happen to be one of that opinion. I revere the principle of the oath. I think it tends to maintain that serious, reverential temper with which men ought to address themselves to solemn duties; but I say this, if you want to gain the real and substantial objects of the oath, you ought to frame it in a manner that should adapt it to those objects. Our Oaths ought to be brief—ought to be simple. They ought to be the same for all—they ought to go directly to the point; they ought to be divested of all needless and useless words, in order that the words

> we use by solemn sanction in the presence of God may be used with a sense of the presence of God, and a temper which befits men doing a solemn act."—(3 *Hansard*, [133] 900.)

Those were the words of the present Prime Minister. It appears to me somewhat strange—I had almost said inconsistent—that the Bill now before the House should be fathered by the very man who, on that bygone occasion, had uttered those words. What had been prevented in the past, and what it was hoped would still be prevented, was that openly and avowedly, and with the assistance of the Government, men should desecrate that which is sacred to the great majority of people. The question whether Mr. Bradlaugh should be admitted ought to be settled by the general feeling of the country, and not by the feeling of any particular constituency. That feeling has been adequately proved, and will be still further proved, I think, by the number of Petitions which will be presented to the House. If the Prime Minister thinks those Petitions do not represent the feeling of the country, why does he not elect to stand or fall by the Bill? Does he not test it in some way? Why did he not mention this Bradlaugh Relief Bill in the Queen's Speech? Why should he not inaugurate a new Mid Lothian campaign with, Excelsior-like, a new Liberal banner, bearing, not the old motto of "Peace, Retrenchment, and Reform," which is somewhat hackneyed and out of place, but the strange device, "Bradlaugh and Blasphemy?" These are not my words; they are the words of the late Lord Beaconsfield, whose prophetic spirit showed him what was likely to come in a very few years. I am inclined to doubt whether that device would recommend the Liberal banner to the Scotch constituencies. The feeling of the country is against a Bill which, disguise it how they may, is simply a Bradlaugh Relief Bill, because it does not wish to see the House of Commons degraded into a "Hall of Science" for the discussion of *The Fruits of Philosophy*, and because the Atheism of the junior Member for Northampton is not a mere opinion, but a doctrine which he loudly proclaims to the world. It is to such aggressive and militant Atheism that Lord Macaulay referred, when, speaking on April 17, 1833, he said—

> "Every man, I think, ought to be at liberty to discuss the evidences of religion; but no man ought to be at liberty to force on the unwilling ears and eyes of others sounds and sights which must cause annoyance and irritation. The distinction is perfectly clear. I think it wrong to punish a man for selling Paine's *Age of Reason* in a back shop to those who choose to buy, or for delivering a Deistical lecture in a private room to those who choose to listen. But if a man exhibits at a window in the Strand a hideous caricature of that which is an object of awe and adoration to 999 out of every 1,000 of the people who pass up and down that great thoroughfare —if a man, in a place of public resort, applies opprobrious epithets to names held in reverence by all Christians—such a man ought, in my opinion, to be severely punished, not for differing from us in opinion, but for committing a nuisance which gives us pain and disgust. He is no more entitled to outrage our feelings by obtruding his impiety on us and to say that he is exercising his right of discussion, than to establish a yard for butchering horses close to our houses and to say that he is exercising his right of property, or to run naked up and down the public streets and to say that he is exercising his right of locomotion. He has a right of discussion, no doubt, as he has a right of property and a right of locomotion. But he must use all his rights so as not to infringe on the rights of others."

But why is this measure introduced? It is remarkable that the Bill of the senior Member for Northampton (Mr. Labouchere) should have been adopted by the Government immediately after Mr. Bradlaugh's large meetings in Trafalgar Square; and I cannot help thinking that their action was, in some degree, the result of that meeting, when the Freethinking mob came into the vicinity of the House, and when Mr. Bradlaugh, like "Bombastes Furioso" apostrophized the Prime Minister—

> "He who dares these boots displace,
> Shall meet Bombastes face to face."

I regret that the Prime Minister does not adhere to the principles which he once so eloquently expressed. Men change their politics and their creed; but there are principles which underlie both. Religion is in this country the basis of every institution; scarcely any work is undertaken without the invocation of the Deity, to which those who differ from the creed of the Established Church listen with reverence; and yet how are we to reconcile the Prime Minister's action now with the memorable words he used in this House on March 31st, 1835?

> "If in the administration of this great country the elements of religion should not enter—if those who were called to guide it in its career should be forced to listen to the

caprices and to the whims of every body of visionaries, they would lose that station all great men were hitherto proud of. He hoped that he should never live to see the day when any principle leading to such a result would be adopted in this country."—(3 *Hansard*, [27] 514.)

In spite of that expression of hope, the right hon. Gentleman has lived to see the day when the principles to which he referred are put forward for acceptance, and when their adoption is advocated by the right hon. Gentleman himself. It seems strange that, in a land where most public undertakings are commenced with prayer, as in our own Assembly, the Government should require to be reminded by one who does not profess the religion of the country that it would be a desecration to pass a Bill enabling a man of no creed and no faith to enter the portals of this House. I do not fear the aspersion of bigotry, because I am only defending that which it is the paramount duty of every good citizen to protect—namely, the religious feeling of the country; and I will, therefore, unhesitatingly give my vote against the Bill.

Lord ELCHO said, if he ventured to intrude a few remarks upon the House that night, he must plead as his excuse, as a Scottish Member, the strong feeling that existed in his country on this question—a feeling which he could not help thinking had not as yet been adequately given expression to on either side of the House. The right hon. Gentleman the Member for Montrose (Mr. Baxter), in speaking upon this subject, had alluded to the bigotry of Scotland. If bigotry meant a dislike to professional Atheism, he did believe, and was proud to believe, that Scotland was bigoted, and he hoped it would long continue to be so. But, apart from the right hon. Gentleman, hon. Members who spoke for Scottish constituencies had been that night conspicuously silent; and he could not help feeling that behind that somewhat unusual silence they might recognize the activity of the constituencies, who were determined that if their Members would not curse this Bill they, at all events, should not bless it. He could not help thinking that the Government deserved some credit for the ingenuity which they sometimes displayed in uniting in opposition to their schemes the most divergent and apparently irreconcilable interests. The dream of a united Ireland had been temporarily realized in opposition to the Government on the mail contract. Before that united opposition the Government had been compelled to give way. He thought that in Scotland—at all events among the religious bodies—there was a unanimity both remarkable and rare against the Bill. From Scotland they had Petitions presented against it from the Roman Catholics, from the Episcopalians, from the Presbyteries of the Established Church, from the Free Church, and from the United Presbyterian Church; and, in the face of this unanimity — which, unfortunately, was rare amongst the religious bodies of Scotland—it was idle to say, whatever they might call this Bill, that it was not offensive to the religious feelings of the people of Scotland. One and all had petitioned against it, declaring that it was subversive of religion, and offensive to the religious instincts of the people. He was aware that an attempt had been made to salve the conscience of hon. Members who disapproved the Bill, as it was originally drafted, by making it not retrospective; and he could not help thinking that the Attorney General, in promising this, was somewhat ungracious in taking as his precedent the Bill for the relief of Roman Catholics. He could not see what right the hon. and learned Gentleman had to confound a just and necessary measure of toleration with a measure which, for the first time, recognized and exaggerated the power of Atheism as a force in the country. Whether this Bill was retrospective or prospective was surely a matter of the purest detail, as was also the question whether Mr. Bradlaugh was enabled to take his seat to-morrow, or whether he was compelled to go through the form of another election. The sting of the Bill was this—that Mr. Bradlaugh, by professional Atheism, had forced it upon the Government and upon the House of Commons. He would not follow the right hon. Gentleman who moved the Amendment (Sir R. Assheton Cross) in the history of the different proceedings which had taken place in connection with Mr. Bradlaugh. The Bill, however, was finally brought in in obedience to certain threats by Mr. Bradlaugh. If the Government did not bring in the Bill, Mr. Bradlaugh threatened to do something — they did not know what, and they would never know what he would have done, because the Government gave way. The Government brought in the Bill also in obedience to the demands of the senior Member for Northampton (Mr. Labouchere), who seemed to play the part of *impresario* to Mr. Bradlaugh, and to make him a sort of property of his own. In his political flights he seemed to have adopted towards him very much the same part as was played in the flights in mid-air, at another place not far from the House, by the famous Zazel. He hoped that, as Mr. Farini was cut short by an Act of Parliament, the hon. Member's production of Mr. Bradlaugh would be cut short by the rejection of this Bill. Whatever the Government might say about this Bill, whatever they might call it, it was a Bradlaugh Relief Bill; at least, it was either a Bradlaugh Relief Bill, or it was a Bill to deliver the Government from Mr. Bradlaugh. In either case it was one which they ought to oppose to the best of their ability. The names on the back of the Bill were those of distinguished Members of Her Majesty's Government; but the only name by which it would be known would be that of Mr. Bradlaugh. He had forced it on the Government; he had forced the Government to give way; but he had not yet forced the House of Commons to give way. Again, the time chosen for bringing the Bill forward was objectionable. There had been no warning of its coming. If they read through the speeches made in Mid Lothian on which the triumph of the Liberal Party was founded, they would find no hint or promise of the Bill, and they would find no mention of it in the Speech delivered from the Throne. An announcement of such a measure might have seemed incongruous with another portion of the Speech from the Throne, which invoked the Divine assistance. It had taken the place of many other Bills which the country had pronounced in favour of. There were Bills anxiously expected both in England and Scotland, and by hon. Members on both sides of the House—he meant the Landlord and Tenant Bill and the Municipal Reform Bill. Yet those important measures had been shelved in order to enable the Government to press forward a Bill which was introduced in a scare, and which the country had constitutionally pronounced against. He hoped the Bill would not be passed; but, if it passed, he did not know who would be grateful to the Government for bringing it in. Members on the other side of the House would not be grateful for being driven to stake their popularity with their constituents in order to please the Government, and Mr. Bradlaugh's gratitude would be somewhat similar to that of a successful highwayman to his victim. Whatever the general verdict of the House might be, he believed the verdict of Scottish Members had been in accordance with the opinion already expressed by the vast majority of their fellow-countrymen, and that they would oppose the Bill, which, whenever it might have been introduced, would have been offensive to the religious feelings of a large fraction of the community, but which, introduced, as it had been, in obedience to the noisy clamour of a small section, was offensive not only to the religious feeling of the country, but to all those who valued and respected the credit of Government in this country.

Mr. FIRTH would not imitate the line of argument which had been adopted by the noble Lord who had just sat down. He approached the consideration of the Bill with the feelings of a Member who had himself made an Affirmation on becoming a Member of the House, and whose simple word was accepted equally with the Oaths of other hon. Members. He should have thought hon. Members opposite would have been glad to accept a Bill which would make their simple word as binding as their Oaths were now, freeing them from the obligation of invoking the Supreme Being upon undertaking that which, after all, was merely their duty. Besides, there were not two men in the House who would define the term "allegiance" in the same way; and, according to Paley, the word was chosen purposely "for its general and indeterminate signification." Supposing an Indian subject of the Queen, a sun-worshipping Parsee, were to be elected a Member, what attitude would the House adopt? The connection of Mr. Bradlaugh with the question had been greatly magnified on the opposite side of the House; but he regarded it merely as an incident, which, however, he regretted, and should have been glad if the matter could have been fought out in reference to some other individual than Mr. Bradlaugh. But if there was a great principle underlying the measure before the House, there ought to be no hesitation in asserting that principle because the hon. Member for Northampton was concerned. The ground on which he based his support of the Bill was that which he took at first—namely, that he believed it was a step in the direction of removing from all public action that invocation of the Supreme Being which was unnecessary to it, and especially to the proceedings in that House.

SIR WALTER B. BARTTELOT said, he rose to make a few remarks upon one of the most remarkable questions that had come before the House of Commons for many years. The hon. and learned Member for Chelsea (Mr. Firth), who had just sat down, had said that the connection of Mr. Bradlaugh with the Bill before the House was a mere incident; but anyone acquainted with the history of the Bill could come to no such conclusion. In fact, any unprejudiced person who had followed the proceedings of the Government in this matter from the commencement of the time when Mr. Bradlaugh was first returned to the House could not but feel that his agitation in connection with this Bill had been paramount in importance with the Government, and that he had at last forced them to introduce it. If the Government had been anxious to introduce a measure for the amendment of the Parliamentary Oaths Act, free of partizanship, they would have done so three years ago, when Party feeling was not nearly so strong in respect to it as now. But they knew then perfectly well that the feeling of the country was against them, and since that time they had been playing with the question, until at last they had been driven into a corner, and were bound to act. Mr. Bradlaugh and his public meetings had had more influence on the Prime Minister than the religious feeling of the country. He (Sir Walter B. Barttelot) regarded the question as one of the most serious that had ever come before the House. It was a political question, no doubt; but it was far more a religious question, and it was because the religious feelings of the great mass of the people had been deeply stirred by it that the matter was far more serious than the right hon. Gentleman the Prime Minister seemed to imagine. He was perfectly justified in saying that a great majority of the people were against the Bill, and the Petitions presented to the House in reference to it fully bore out that statement; for there had been Petitions from Roman Catholics, from Jews, from all classes of Dissenters, and from the great mass of those who belonged to the Church of England. Up to last week, 2,912 Petitions, with 372,918 signatures attached, had been presented against the Bill. In addition to that, it should be remembered that many of the Petitions were signed officially by only one person to represent large numbers, or the number of signatures to the Petitions would have been much larger. That was a proof that the mass of the people were against the Bill. But how many Petitions up to the 11th of this month had been presented in favour of the Bill? Only 767 Petitions, with a total of 88,258 signatures attached; and it was well known the enormous efforts that had been made to obtain signatures in favour of the Bill. He could assure the Prime Minister that he had greatly deceived himself, and had miscalculated his strength in the country, if he thought that he would be able to carry his Bill through Parliament. For the first time in the history of the country, it was proposed by the Government to allow Atheists, who did not believe in the existence of a Deity, as Atheists, to affirm and take their seats in that House; that was the issue that was before them. He believed—and, if he was wrong, he should like to be put right—that the Government did not mean to make this a paramount matter; it was not to be a question of Want of Confidence if they sustained defeat over their Bill. That was the attitude now of the Government with reference to all delicate questions. The Channel Tunnel Bill they would not take up as a Government question, but were content to abdicate their proper functions, and had handed it over to a Committee of Members from both Houses of Parliament; and on Friday night there was a question relating to the welfare of the Army and Navy—a question which, up to that time, had always been supported by the Government, but had now been allowed to drift into an open question. The Prime Minister paired himself, and went away, leaving the other Ministers to vote as they liked. The noble Marquess the Secretary of

State for War, with the honesty which always characterized him, said he should support the Contagious Diseases Acts, and so did the Judge Advocate General, and others; but the Ministers who were engaged in permeating the Cabinet with their particular and individual views voted against them. No doubt, as the noble Marquess walked past to support the Acts, the right hon. Gentleman the President of the Board of Trade (Mr. Chamberlain) said, in his heart, that the noble Marquess was one of that class that "toil not, neither do they spin," and that he was glad again to have it in his power to show that contempt for his opinion which he had been able to show before when the noble Marquess was Leader of the Opposition. It was strange that none of the Colleagues of the President of the Board of Trade had, up to that time, risen in their places and repudiated the doctrines which he had enunciated at Birmingham. It seemed as if, in this question, as in others, the pernicious principles of Ministers of his stamp which had permeated the Cabinet seemed to have even permeated to the Prime Minister himself, and to cause him to forget the strong feelings that he held in the past with regard to religious subjects, for he was now prepared to cast his lot in with those who were anxious to subvert the religious institutions of the country. He (Sir Walter B. Barttelot) looked back with surprise to the remarks of the right hon. Gentleman, published in an instructive work on *Church and State*, in which he denounced the fatal anomaly of allowing men to enter Parliament who had no religious views, to legislate for those who did believe in Christianity, and predicted that, if that were allowed, they would have a political life without any religious influence at all. Let him read to the House two passages from that work—

> "The tendency of that proud ungodly spirit which brands the forehead of the age is not only to tolerate in the occupant of civil office a personal incapacity to discharge its obligations aright, so far as they bear upon the welfare of our religion, but to sever from that occupancy altogether any obligation to promote its purposes or to respect its existence. And now let us trace the workings of this principle, supposing for a moment that it should be unsuccessfully resisted, and should attain its full development as regards the personal composition of the Government and the Legislature, it avows the desire to remove the remaining restriction, that of profession of Christianity; if it gains this it gains probably everything. For the anomaly of appointing persons who deny Christianity to legislate for its benefit would be so palpable and glaring, it would so grate upon the average common sense of mankind, as speedily to bring the question to issue—whether the support of Christianity be one of the proper objects of Legislature, and powerfully to assist towards a fatal decision."—[p. 224.]
>
> "It is clear that it has relations and reckonings with men in their national capacity. How are these relations to be conducted by a Government which has not a religion? The law is not the act nor the voice of an individual, nor of a number of individuals as such; but it is a public instrument proceeding from a public power, and that power the greatest upon earth, and yet, under the proposed system, that power will be without religion."—[Chap. 8, p. 286.]

Those words, written many years ago, when the right hon. Gentleman was a strong Tory, full of youth and mental vigour, and when he was not permeated with that spirit of Party which had since beguiled him into making such a vast number of mistakes, were true now. England was the most religious country in the world. She had done more for religion, religious liberty, and toleration than any other country in the world; she propagated the Gospel in all parts of the world, and sent civilizing influences all over the globe, and she had a Parliament that was respected and honoured by every nation—a Parliament that commenced its work every day by Prayer; and yet, at the end of the 19th century, the Prime Minister, who had written in support of Church and State, was the leader in an attempt to alter the Oath of Allegiance so as to enable a limited, and a very limited, number of Atheists to take part in the legislation of this country, as Atheists. That would not be tolerated for one moment, and they had a right to expect from men like the Prime Minister and the Lord Chancellor, who had not hesitated in the past to declare their religious belief and opinions, very different guidance to that which they were now asked to follow. He had a painful recollection of the manner in which the Prime Minister, when he found himself in a minority in the earlier stages of this question, abdicated his position and the functions of his great Office which he held, and permitted the Leader of the Opposition to lead the House; but now he attempted to force the Bill upon the House and the country. England was the most tolerant country in the world; it made every allowance for the difficulties of the position in which its statesmen were placed. It forgave great mistakes; it condoned and sometimes it forgot them. It might forgive all that had happened in Ireland; it might forget even that disastrous and disgraceful retreat after Majuba Hill; it might even forget the way in which the Suzerainty of their beloved Sovereign was now being treated in the Transvaal; but there was one thing it never would forget, knowing, as it did, the mercies, the benefits, and the blessings that it had received from that Almighty Being, whose they were, and whom they were bound to serve—it never would forget or forgive the man and the Government who struck down that name in order to bring into that House those who profanely and blasphemously declared that there was no God.

Mr. R. N. FOWLER, having taken the extreme step, which he felt could only be justified by very strong conviction, of dividing against the Motion that the Speaker leave the Chair previous to the introduction of the Bill, wished to say that he regarded this measure as a national insult to the God who had made us great, and as a disgrace to the country; and, therefore, he considered it to be his bounden duty to go into the Lobby on all occasions to vote against it. Although it was styled the Parliamentary Oaths Act Amendment Bill, its more correct title would be "The Bradlaugh Relief Bill." He trusted that this country was not to be reduced to the position of France, which was stated by Foote and Ramsey, the friends of Mr. Bradlaugh, on the occasion of the recent trial for blasphemy, to have been governed by Atheists for the last five years. In his opinion, Her Majesty's Government were responsible for this Bill, which had been introduced because, at the commencement of the Session, the House had been threatened by an ill-conditioned mob. He objected altogether to this "surrender of Bloomsbury," as it had been termed. Relief had been in former times given to those who had conscientious scruples as to taking an oath; but this was an Act to relieve a man who boasted that he did not believe in a God. He asked the House and the country at large, were they, at the bidding of Mr. Bradlaugh, to renounce the Christian religion of the country? Was it creditable to the Government to bring forward a Bill, not out of well-considered political convictions, but in deference to the threats of the mob who thronged Palace Yard on the opening of the Session? He appealed to hon. Gentlemen interested in Missions whether they were prepared to give a severe blow to all the denominations who sent to distant lands to preach the Gospel by admitting this man to the House. The Report of the Bible Society, to which, in common with many hon. Gentlemen opposite, he belonged, stated that the election of Mr. Bradlaugh had been a great hindrance to Christian Missions. He challenged the Government to appeal to the country on this question; and he implored the House not to sanction the measure which had been submitted to it.

Mr. WEBSTER said, there had been such gross misrepresentation that evening of the feeling of the people of Scotland, that he could scarcely allow the mis-statements to go to the House unchallenged. It was said the constituencies of Scotland felt very strongly against the Government measure, and that the Representatives of Scotland were in a dilemma between their fear of hurting the Government to which they were attached, and the fear of their constituencies rising in revolt against themselves. All that was a complete mis-statement. No Representatives in the House, however attached to Liberal principles and to the present Government, could be more perfectly independent of the Government than the Scottish Members. On the other hand, they knew their constituencies were entirely Liberal, and entirely with their Representatives on this question; and, even if they had any reason to apprehend the feeling of the constituencies, the Scottish Members were so strong in their convictions that they would not be afraid to vote in favour of the Bill. It was said that the people of Scotland were a thoroughly religious people, and so they were; but they were also a thoroughly intelligent people, and they viewed this question in its true light. He was satisfied that the feeling of the large Scotch constituencies was distinctly in favour of the Bill. They had no fear of Atheism. They knew very well that, so long as the people of Scotland were thoroughly religious, there was no fear whatever of any infusion of unbelief from Scotland. He did not think any Scottish constituency would have returned the junior Member for Northampton to the House; but, upon the other hand, they not only left the Liberal Representatives free to take their own course in the matter, but they sent them to Parliament with the thorough knowledge of what their opinions were upon the subject. He could speak from his own experience. He had on different occasions addressed public meetings consisting of thousands of all opinions, and had avowed his views and course of action on the question, without a word of dissent or remonstrance, but the contrary. He should support the Bill, because he saw nothing in it which was not in the lines of the Constitution and an act of justice. The Scotch Representatives would vote in the division on that question with the utmost confidence, not only that they were doing right, but that they carried their constituents entirely with them.

Sir HARDINGE GIFFARD said, he had listened with great attention to the argument of the hon. and learned Attorney General in moving the second reading of the Bill; but he had not been able, at the conclusion of it, to ascertain whether in the hon. and learned Gentleman's view—which it would be an important thing for the House to know—whether his hon. and learned Friend thought that any alteration of the law was necessary. He had heard his hon. and learned Friend state that, according to his view, as the law stood at present, every hon. Member who was duly elected by his constituents had a right to go to the Table, and take the Oath, if he so pleased. If that was the hon. and learned Gentleman's view, he should like to ask him what was the necessity for this Bill? If it was intended, under cover of bringing in a Bill, to reverse the decision of that House, he could understand it. But if the hon. and learned Gentleman thought that the law, as it at present stood, allowed persons to take the Oath, without any inquiry into their religious belief, and that that was what his hon. and learned Friend thought ought to be the law, then he confessed he should have been glad to learn—as his hon. and learned Friend had as yet given no explanation—upon what grounds he thought the Bill was necessary at the present moment. In a political sense, he (Sir Hardinge Giffard) could quite understand how it was necessary; but, for the sake of his hon. and learned Friend's argument, he was unable to see to what that argument led. He did not wish, however, to leave his hon. and learned Friend in that dilemma; because he (Sir Hardinge Giffard) did not believe the law did permit persons to take the Oath, if they were incompetent to take it; and a cardinal fallacy into which his hon. and learned Friend and others had fallen during the debate was that kissing the Book and repeating certain words constituted the taking of an Oath. If the hon. and learned Attorney General was right in that respect, they were, of course, entitled to say that that which had raised the question originally, that which for three years had kept the House of Commons in debate, and that which alone raised the question now, was a question confined to Mr. Bradlaugh. If it had not been for Mr. Bradlaugh, according to the hon. and learned Attorney General, this question would not have arisen; and it could not arise in the future, unless some future Member elected by a constituency thought proper, at the time he took the Oath, to tell the House that he did not believe in it. That was their condition; and, therefore, this was a Bill not to remedy anything in the past, which the hon. and learned Attorney General objected to, not to remedy anything in the future, which might give rise to inquisitorial investigation into what people's religious opinions were, but, excluding the past and the future, it must be confined to Mr. Bradlaugh. That, he believed, was the truth. Then, why was it not avowed? Why did they have a form of general words? Why was the Bill not entitled—"A Bill to enable Mr. Bradlaugh to take his seat in the House of Commons?" That was what it really was. What was the object or the usefulness of the historical survey the hon. and learned Attorney General had given as to what the changes which from time to time had taken place in the Parliamentary Oath? The law at present was that a man should take an Oath or make an Affirmation, which, in the present state of judicial decision, might be assumed to be an Affirmation by a person who had a religious belief. Whatever other vicissitudes the law had undergone, that, at all events, was now clearly established. No Judge had been found to say that the Affirmation, which was given as the alternative to the Oath, was not an Affirmation which involved upon the person who took it no religious belief. Therefore, the state of the law at present was that the person himself either took the Oath, which, he (Sir Hardinge Giffard) contended, involved a religious belief, or made an Affirmation on the hypothesis that he had a religious belief, and that according to that religious belief it was wrong for him to take an Oath. It was desirable that the House should understand what the issue really was which was raised, because it could only be confused by such dissertations as that which they had had from the hon. and learned Attorney General that night. The hon. and learned Gentleman all through his speech used the phrase "religious test" and "religious difference," as if it was equivalent to the absence of any religion. Now, that the law had never stated and had never held. Why was it that in the Courts of Justice a person must take an Oath? The hon. and learned Attorney General could tell them of no Statute that involved it, or enacted it; but it was, nevertheless, the Common Law of the country. Why was it that a juror in this country must take an Oath? It was because the Common Law involved the necessity of persons acting upon a jury under the sanction of religion; and was it supposed to be less important to make laws than to administer them? The Crown and the Legislature, in both of its branches, by actual enactment must take an Oath—he was going to say of some kind or another—but he hesitated to use those words; because, although they exactly expressed what he meant, he found that equivalent words used by his hon. Friend the Member for Portsmouth (Sir H. Drummond Wolff) had been made the subject of a sneer, as if the hon. Member, in an irreverent manner, had supposed some Deity or another. But he had observed that while the hon. and learned Attorney General had, at one moment, referred to that point for the purpose of casting ridicule upon a state of belief which could speak in an irreverent manner of "some Deity or another," he, nevertheless, treated it subsequently as an argument which deserved attention. Now, what he (Sir Hardinge Giffard) intended to express was that, in some form or another, or in some kind of religious belief, this country had always insisted upon persons entrusted with office among them, pledging themselves to the due performance of the duties of that office under a solemn and religious sanction. [Mr. Thorold Rogers: No!] He said "Yes," and probably the House would hear more of that by-and-bye. The hon. Member for Southwark (Mr. T. Rogers) had been good enough to interrupt him; but the hon. Member would, perhaps, have an opportunity hereafter of explaining what he meant, not by inarticulate interruption, but by a fair statement of his views. He (Sir Hardinge Giffard) said that Christianity was part of the Common Law of this Kingdom, and it was because it was part of the Common Law of this Kingdom that persons must pledge their Oath in Courts of Justice. They did it as an appeal to a superior Power; and here let him remind the hon. and learned Attorney General that when he referred to those questions which had been raised as to what form the Oath was to be taken in, he was arguing against himself. That which the Judges had pointed out was the solemnity of the form, and the particular religious belief must be left to the person who took the Oath, but that the application of the Oath was universal, and so it continued down to the time when the Bill was introduced, which permitted, for the first time, persons to be examined about their religious belief by a Judge before they were permitted to be examined as witnesses. And why was that? It was because, as it was argued, when the Bill was introduced, and especially by Mr. Mill, that witnesses examined in Courts of Justice were not permitted, but compelled, to be examined, and not for their own sakes alone. In fact, the state of the law was such that those who were most deeply interested in the question were not permitted to be examined at all. The fact that they had an interest excluded them; and it had only been of recent years that that disqualification was withdrawn. But the obligation to take the Oath before a man could be examined as a witness was universal, no matter what the form was in which the person was sworn—whether by breaking a saucer, or by any other performance, such as some of them had seen in Courts of Justice. It must be something that was binding on the conscience, and witnesses were to be under some solemn obligation of religion which involved their responsibility hereafter for what they might say and do. That was the universal obligation. Then, he wanted to know why they had, as it was said, got rid of religious tests in the sense—in the wider and more catholic sense of what was religion, and what the obligations were which religion involved—whether, in point of fact, they were committed to the proposition that they were not to insist upon any religious qualification at all? If that was the proposition, how far were they to go? Were jurors to be exempt? Were they no longer to be compelled to take an Oath, or to make a religious Affirmation? Was the Crown to be exempt, and the Members of the Legislature? Let him remind his hon. and learned Friend the Attorney General that, to a very large body of Christians, the fact that the Oath was voluntary rendered it lawful, if it was compelled to be taken by the civil magistrates; but once make it unlawful, and such persons would feel they need not take it, and they would not take it, and they ought not to take it. Therefore, if they had this system of doing away with any religious provision at all in their most solemn acts, what would be the result? Was the House to continue to commence its proceedings by prayer? [*Cries of* "No!"] Hon. Members opposite said "No!" That was quite consistent; but it was very desirable that the country should understand what they were doing, if they were abrogating any provision for religion, and if they were refusing to recognize the fact that there was something beyond and above them in this world. It was well the country should understand that, for the sake of Mr. Bradlaugh, the House and the country were to be committed to a system which was to discourage the provision of religion among them. The familiar argument they had heard from the hon. and learned Attorney General, who had trotted out Wilkes's case over and over again, was susceptible of an easy answer. The law, as it stood, told every constituency that their Representative must take an Oath or make a solemn Affirmation. The hon. and learned Attorney General said the constituencies had no notice of that. But it was the law as it stood; and, in his own Bill itself, his hon. and learned Friend assumed that it was the law. Then, without applying his (Sir Hardinge Giffard's) observations to the constituency of Northampton in particular—for it would be almost grotesque to do that—every constituency ought to know that every Member returned to Parliament, before he could take his seat, must go to the Table and make a solemn Affirmation or take an Oath. Then, would the hon. and learned Attorney General say that it was lawful for a man, at the time that he took the Oath, to tell them that it had no binding effect upon his conscience? Would the hon. and learned Gentleman say in any Court of Law, before Denman's Act was passed, that a man could go into a Court of Justice and say—"I am prepared to kiss the Book and to repeat the words of the Oath; but I do not believe one word of it." The hon. and learned Attorney General knew perfectly well that in such a case the Oath of the man so taking it would be rejected. Aye, and further, if it had been a question of dispute—if the man had professed a religious belief, and it had been pressed on the other side that he was not a person who had a religious belief, the Judge must have tried the question and made up his mind whether the man had a religious belief or not before he permitted him to be sworn. If that assertion was denied, he could quote various judicial authorities in support of it; but he did not apprehend that it would be denied. Well, what were they to do now? They were asked to do that which the hon. and learned Attorney General said was unnecessary; and what would happen in the future was this—that anybody who pleased might go up to the Table and say—"I prefer to make a solemn declaration." What was the meaning of the word "solemn?" Did it mean an appeal to a higher Power? [*Cries of* "No!"] Then, excluding that supposition, what was there solemn about it? There was the form. In the equivalent case of a man going into a Court of Justice and saying—"I want to make the declaration provided by Denman's Act," the Judge had to satisfy himself, by an examination of the person, that, according to his views, an Oath would have no binding effect upon his conscience. The hon. and learned Attorney General had not followed that example, He had not suggested that they should ask a person going to the Table whether, according to his views, an Oath had any binding effect upon his conscience. That was passed by. And why? Was it merely to ascertain whether a person had religious views, or not, and that the House should not proceed to inquire whether the man had any religious belief or not in the House of Commons, although, in any other position in life, on taking an office, such an inquiry would be necessary? If that was the object, why not say so, and tell the House of Commons and the country that that was what they meant, and that their object was to exclude religion from the House of Commons? That was one of the things they desired to do by the present Bill. He quite agreed that no man could be examined about his religion. It was commonly understood that religion was a matter between a man and his Creator. He believed that proposition would be gladly accepted by the country; but the question was, whether they could inquire if a man had any religion at all; whether that which had long been treated by the Constitution as the basis of civil government could be excluded from inquiry in regard to a seat in Parliament? It was admitted that the Constitution was based upon religion, and that, at that moment, it was part of the Common Law of the land, and persons who railed against Christianity were liable to indictment. They were now about to pass an Act of Parliament which would enable a person, who was an avowed and aggressive blasphemer, who had avowed his disbelief in anything sacred, and who had made himself conspicuous in the country for doing that which rendered him subject to indictment, because he had railed against religion, which was the Common Law of the land—they were to allow that person to become one of the makers of the law, because they would not permit any inquiry into his religious belief. He (Sir Hardinge Giffard) declared that that was contrary to the whole practice and policy of what they had done in the past. They had called on persons to pledge their solemn promise in various forms. They might have drawn the test too tight. That was quite possible; but if those who were responsible for drawing the Act of 1866 meant, by the generality of the words they used, to allow afterwards something that would get rid of the obligation of the Oath altogether, they were not candid in the manner in which they brought forward the matter in the House of Commons, because it was only considered as a desirable change from two into one of the different Oaths which a Member had to take. Certainly, the legislation of 1866 was not directed towards anything in the nature of the abolition of Oaths altogether. And now let him ask the hon. and learned Attorney General what alteration in the law, as it now stood, he supposed would be brought about by this Bill? He (Sir Hardinge Giffard) should like to learn that from his hon. and learned Friend. He had pointed out that, according to the view of the hon. and learned Attorney General, it was unnecessary. What alteration in practice would take place if the Bill were passed? Was it anybody else but Mr. Bradlaugh who was pointed at by the Bill? He would like some hon. Gentleman on the other side of the House to be good enough to say whether that was so or not. What possible contingency was the Bill supposed to meet, except Mr. Bradlaugh's case? Then, if that were so, he had endeavoured to show that the Bill struck a very serious blow at the religious profession of the country, and it would have no operation except bringing Mr. Bradlaugh into the House of Commons. Just let them see what the history of the transaction was. The first Resolution of the House of Commons was that Mr. Bradlaugh should not be permitted to take the Oath. Then there was a Resolution that he might be permitted to make an Affirmation, which they were informed at the time, with great confidence, was perfectly legal; but he believed that that great confidence had since been very much shaken. For three years the question had been debated over and over again, and at last Mr. Bradlaugh said—"I will not be juggled with any longer. I will bring down a mob of people to the House of Commons, and you shall pass an Act of Parliament to admit me." He (Sir Hardinge Giffard) did not say that this Bill was introduced in consequence of that threat; but it was introduced immediately after it. He had no right to say it was in consequence of it, because, at present, that had neither been avowed nor denied; and he did not know, therefore, what counsels there might have been which induced Her Majesty's Government to bring forward this Bill. But he knew this—that in the Press which was devoted to Mr. Bradlaugh's cause, not long ago, there appeared an article, in which it was stated that the people would not be juggled with any longer, but that they would pull down the Park railings again; and then, perhaps, the Government, which had been shuffling and quibbling, would meet them, and do at last what, in fact, they had promised to do before. Again, he did not say the Bill was introduced in consequence of that; but immediately after that came the appointment of the second reading of the Bill for that night. He believed it was the feeling of a great many people that, at all events, the Government should explain very distinctly that they had not been acted upon in that way, and undoubtedly the impression that they had been so acted upon might produce serious mischief. He did not accuse them of having been so acted upon, and it was quite possible that they might explain why they had taken their present course; but, undoubtedly, the country and the House had a right to ask why, if Her Majesty's Government thought that an alteration of the law was necessary, it was not carried into effect three years ago; and why it was done now, when the hon. and learned Attorney General could give no other reason for it than to point to the one instance of the hon. Member for Northampton (Mr. Bradlaugh), and say—"Some Member has been elected by a constituency, and has not been permitted to take his seat." Under these circumstances, it seemed that these were matters which most urgently called for explanation from Her Majesty's Government. It was a question which could not be muffled or cloaked. The question was, whether Her Majesty's Government had yielded to the pressure of Mr. Bradlaugh; and, if so, whether it had yielded to that pressure in this sense—that, rather than lose the support of Mr. Bradlaugh and his friends, they were willing to surrender the religious character of the House of Commons and of the country.

Mr. ILLINGWORTH said, that various hon. Members who had addressed the House had availed themselves of the occasion to allude to past history in regard to religious toleration. He had looked forward to the debate with some anxiety, because he knew that there had been in the sad records of the past much that showed that political rancour and religious bigotry had been let loose more freely and with less restraint upon questions of religious tests than almost upon any other subject that had ever been brought before Parliament. He wished, if it were possible, that they could keep themselves entirely free from any such spirit on this occasion; but he was afraid that the "drum ecclesiastic" had been beaten too actively on this occasion to encourage the hope that this spirit would not manifest itself in the House of Commons. There was, no doubt, some difficulty in the House calmly considering its duty on that occasion. The functions of the House were of such a character as to land them in such difficulties. It was the belief of many hon. Members in that House that some of the highest functions of Parliament were the government of the Established Church of the country; and that, in order that the affairs of that Church might be properly maintained, civil disabilities must still prevail in the House, rather than any inconvenience or danger should arise to the Established Church. But no one could deny that the chief functions of the House related to the secular concerns of the country; and his position was, that the selection of any Member by a constituency, who was not disqualified by law, was the function and right of that constituency, who were entitled to send to Parliament any man who, although he might avow himself an Atheist, was regarded by them as the fittest person to represent them. That was the simple proposition laid down by the constituency of Northampton at that moment, and it had been pressed upon the House for some years back. He would not attempt to go into the technicalities of the hon. and learned Gentleman opposite the Member for Launceston (Sir Hardinge Giffard), who had just spoken. But if he might venture to speak for a considerable number of those in the country, who were as earnest in the defence of what they believed to be the interests of truth and religion as hon. Members on the other side of the House who had spoken that night upon this question, he would venture to say that there was perfect unanimity among them as to the course which the House of Commons was called upon to take upon this occasion. He was glad to hear from his hon. Friend the Member for Aberdeen (Mr. Webster) that he was able to qualify to so large an extent the views which had been put forward on the other side of the House in reference to the feeling upon this question which existed in Scotland. It might be true that there was amongst certain sections in Scotland, represented by the noble Lord the Member for Haddingtonshire (Lord Elcho) and other hon. Members, a feeling that a Representative sent to that House, because, unfortunately, he did not profess and hold the Christian religion, should be excluded from that House; but they knew that the same class of persons in Scotland had opposed the admission of Roman Catholics into the House of Commons, and also, at a later date, the admission of the Jews. They might have seen their error upon the latter point; but if they were to refrain from doing their duty now, it would be fatal to the course which had been taken in regard to the Jews and Roman Catholics, and Jews and Roman Catholics could have no right in that House, although some of the latter were now occupying whole Benches on the other side of the House. He believed that the great mass of the Dissenters of the country, when the debate was thrashed out, would be found ready to support the Government, as taking the only fair and legitimate course which could be taken in these days at least—namely, that of allowing Mr. Bradlaugh, it might be after another election, to take his seat. Did they intend to maintain this spirit of exclusion? Suppose other constituencies took the same course as that of Northampton, was the House of Commons going to disfranchise one constituency after another, because the members of such constituencies elected happened to be Atheists? If that was to be the case, Parliament must go a great deal further. Parliament did not hesitate to call upon any individual who was elected to discharge every function which appertained to him; and he was entitled to ask why there should be any restriction or curtailment of those rights, when a constituency was called upon to select a Member to represent them in the Commons House of Parliament? He asked the House to consider carefully what good had resulted from the course which had already been taken upon this question? Could it be said that Christianity had been benefited by the discussions which had taken place? Reference had been made to the personal opinions of Mr. Bradlaugh. He had nothing whatever to do with those personal opinions. It was enough for him that Mr. Bradlaugh was legitimately elected a Member for the constituency of Northampton. That would be an impediment to him, and ought to be so to all other hon. Gentlemen, in raising an objection to his individual opinions, just as it would be to raising any question as to the religious views of any other hon. Member. But a certain book had been referred to, with which the name of Mr. Bradlaugh was very intimately associated. He was told, on what he believed to be good authority, although it did not come directly from the hon. Member himself, that the circulation of that book, since the action taken by the House of Commons, had been increased a hundred fold. What was before obscure, and not known to one Member of that House, or to 50 persons in the country, was now read by hundreds of thousands, and the book was circulated by many hundreds of thousands. Whatever influence in the future Atheism might have, that influence would have been brought about by the bigotry of the House of Commons, or of a section of that House. But for the action taken by the House of Commons it would have been impossible for persons professing the views of Atheists to have exercised influence and political power in this country. He deeply regretted to see that the Clergy of the Established Church had lent themselves to petitioning, and not only to petitioning, but to moving the people they could influence so largely on this question. For the sake of the Christianity which they and he professed in common, he deeply deplored it. Had they had the true interests of Christianity at heart, he believed their wisest course would have been to have abstained from magnifying this incident of the election of an Atheist to the House of Commons, but to have pressed upon all whom they could influence the propriety of conceding what were undoubtedly the rights of the electors of Northampton, and to have permitted Mr. Bradlaugh to take his seat within that House. He believed Mr. Bradlaugh would not have obtruded his religion or his non-religion. It was only because that course had been forced upon him and his adherents outside by the injustice shown to him that his influence had been increased. Within the walls of that House, he believed that Mr. Bradlaugh would act in a manner that would commend him to the goodwill of Parliament. Further than that, he was convinced that, as far as Mr. Bradlaugh's feelings towards Christians were concerned, he was infinitely more likely to respect Christianity on seeing a disposition displayed to act justly towards him, rather than by finding a spirit of injustice, intolerance, and bigotry such as had been manifested in the House that night. He (Mr. Illingworth) did not hesitate to say that it was to the Dissenters and the great Nonconforming Bodies of the country in the past that they owed the removal of all the religious tests which had gone by the board; and it was to the Nonconformists of the country, to their staunchness and fidelity to principles that they had a security that would not fail in the hour of need and difficulty to carry this question, and establish absolute religious liberty in regard to the rights of all classes in that Assembly. It was impossible to say what might be the course of the debate, and what the results of this Bill might be. [*Laughter.*] It was quite allowable to hon. Members on the other side, who were in a constant minority in the House, to indulge in anticipation as to what the majority would be; but, whether the second reading of the Bill was carried on that occasion or not, the House might rest assured that its effect in history would be precisely similar to that of the great conflicts which had taken place on Catholic Emancipation and the introduction of Jews into that House. He could only express his deep regret that there were recreant Members of the Jewish community. [*Cries of* "Oh!"]

BARON HENRY DE WORMS: I rise to Order. I wish to know whether the term "recreant Members" ought to be applied by one Member of the House towards another?

MR. SPEAKER: I hope the hon. Member for Bradford will see that the expression is out of Order.

MR. ILLINGWORTH said, he did not use the expression in any offensive sense. [*Cries of* "Withdraw!"] If it was understood in that sense, he withdrew it unequivocally. He had only used it in order to say that he did not understand why hon. Members of that faith who had enjoyed the privileges won for them by those who alone had understood in the past the true principles of religious liberty, and who fought for them on that ground, should be so forgetful, so ungracious, and so ungrateful, as to be found, upon an occasion like this, among the adherents of that historical Party who fought far more tenaciously for their exclusion from the House of Commons than they would be able to do for the exclusion of Mr. Bradlaugh.

Motion made, and Question, "That the Debate be now adjourned,"—(*Sir H. Drummond Wolff,*)—put, and *agreed to.*

Debate *adjourned* till *Thursday.*

## CUSTOMS AND INLAND REVENUE BILL.—[BILL 140.]

(*Sir Arthur Otway, Mr. Chancellor of the Exchequer, Mr. Courtney.*)

### SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chancellor of the Exchequer.*)

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Hicks.*)

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS) said, he trusted that the Motion which had just been made for the adjournment of the House would not be agreed to. The Bill before the House contained merely the usual provisions for the reduction of the Income Tax and the continuance of the Tea Duties. The other questions in the Bill were all matters of detail, with one exception; and that was the collection of Schedules D and E of the Income Tax, in regard to which he had restored the clause proposed by the right hon. Gentleman opposite (Sir Stafford Northcote), with certain conditions as to compensations, which he hoped would result in the clause being better received than it had been. This, however, was not the proper time to discuss that matter; and, so far as the Bill was concerned, it was simply a continuance Bill, and might be accepted without any considerable amount of debate.

MR. CHAPLIN said, the right hon. Gentleman, in the observations he had just addressed to the House, appeared to entirely ignore the fact that there was an Amendment on the Paper upon the second reading of the Bill of very great importance, which stood in the name of the hon. Member for Preston (Mr. Ecroyd). As regarded the Bill itself, no doubt, what the right hon. Gentleman said was correct; but it appeared to him that when there was on the Paper an Amendment of the character he had described, if it was to be debated at all, and if it was to be a serious Amendment, they would not have the smallest chance of debating it at that hour of the night. He had no doubt that the hon. Member who had given Notice of his intention to move the Amendment would do so, and that he would desire to state his views to the House. He (Mr. Chaplin) knew, further, that the hon. Member was supported by a considerable section of the Members of that House. Under those circumstances, it was somewhat unreasonable that the right hon. Gentleman should press the second reading of the Bill at that hour of the night. If the right hon. Gentleman had moved the second reading of the Bill after the dinner hour—say, at 10 o'clock—he would have been well within his right; but to ask the House to proceed after midnight with a measure of that kind, in regard to which a most important Amendment was to be proposed, and which the hon. Member for Preston desired to proceed with, was most unreasonable on the part of Her Majesty's Government. He hoped the right hon. Gentleman would reconsider his decision, and take a more favourable opportunity for moving the second reading.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS) said, he had no right to address the House again, and he could only do so with the indulgence of hon. Members. He was quite aware that the hon. Member for Preston (Mr. Ecroyd) had placed a Notice upon the Paper of a Motion, proposing that they should return to Protection and Reciprocity. The hon. Gentleman might just as well raise a discussion upon the old Corn Laws and the duty upon corn upon the second reading of the Bill. [*Cries of* "Order" *and* "New Rules!"] He thought he had been answering a question which had been put to him.

LORD JOHN MANNERS said, he rose to Order. The right hon. Gentleman would have every opportunity afforded to him of explaining the course which he proposed to take; but it was out of Order to enter into a discussion of the Amendment upon the Motion for the adjournment of the House.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS) said, he was only trying to explain what the proposal of the hon. Member for Preston (Mr. Ecroyd) was. What he was going to say was this—that the Motion placed on the Paper by the hon. Member might be a proper Motion to bring forward on a Tuesday or Friday; but he submitted to the House that it was not a proposal which ought to be made upon a Bill which was almost of a formal character, in reference to the continuance of the Tea Duties and the Income Tax. If the hon. Member for Preston had brought forward his Motion on a Tuesday or Friday, it would have been the duty of the Government to discuss it fully; but he would appeal to the House whether it was proper, upon such a Bill as the present, to discuss the abolition of all Customs Duties, and of all direct taxes.

MR. NEWDEGATE said, that the endeavour of Her Majesty's Government to force on the discussion upon this Bill in order to exclude the consideration of a Motion which was legitimately proposed as an Amendment to the Bill admitted but of one construction. That construction was that they feared the discussion of the Motion. At all events, they viewed the discussion of the Motion with the greatest possible dislike. This was, in fact, an attempt to burke a discussion which was most legitimately raised upon a very grave subject. Of course, if Her Majesty's Government chose to divide the House upon the Question of Adjournment, they would probably succeed in burking the Motion; but he trusted that the House would resist that tyrannical attempt on the part of Her Majesty's Government, by proceeding to a division, and then the country would understand the alarm with which her Majesty's Government viewed the prospect of a discussion on the subject of the Motion of the hon. Member for Preston (Mr. Ecroyd).

Mr. ECROYD said, he wished to put a question to the Speaker—whether, in speaking on the Question of Adjournment, he had any right to refer to the Motion which stood on the Paper in his name? [Mr. Speaker assented.] Then, with the leave of the House and of the Speaker, he would like to say that he could not conceive a more apposite occasion for the Motion than the second reading of the Customs and Inland Revenue Bill. He had a Motion on the Paper which took its place among four or five other Motions of a like kind last Session; and at the request of the Government, and for their convenience, he consented to take it off at that time, and no remark was made to him, as to its being an improper occasion for making such a Motion. He had not had the honour of a seat in that House so long as many hon. Gentlemen who were present, and he frankly confessed that he might very easily have fallen into the mistake of taking an unsuitable occasion for making the Motion; but he had no reason to believe that that was the case. In order to show the importance of the issue raised by the Motion, he would only point to the heavy duty still levied on tea imported from India, after we had compelled that vast Empire to receive our productions absolutely free from duty. He thought, if there were no other point of interest in his Motion, he could not be accused of troubling the House unnecessarily. The circumstances were extraordinary. Here was a Bill of first-rate importance, in the discussion of which the country must necessarily take a great interest. It was brought on considerably after midnight upon a day when many hon. Gentlemen had been serving upon the Standing Committee on Trade, which met at 12 o'clock and sat until 4. Since then the House had been engaged upon a long and exciting discussion; and now, at an hour when the House was completely exhausted, this question was brought on, and he was asked to bring forward his Motion at a time when it would be clearly impossible to secure for it the attention which it deserved. For these reasons, he should certainly support the Motion of the hon. Member for Cambridgeshire (Mr. Hicks), for the adjournment of the House. It was because he felt himself bound to raise a discussion upon that important question that he must protest against the consideration of it being entered upon at a time when it was impossible that it could be adequately discussed.

Mr. O'DONNELL said, the right hon. Gentleman the Chancellor of the Exchequer had been good enough to suggest that that Motion had better be put down on a private Members' night—say Tuesday, for instance—and he had given the House to understand that the Government would be anxious to promote the discussion of it upon a Tuesday. But he (Mr. O'Donnell) was not sure that recent experience in the House would lead many Members to come to the conclusion that Her Majesty's Government were not more prepared to facilitate the counting out of the House on Tuesdays than of discussing the Business of the House. It was just possible that on this question, as upon some others, there might not be perfect unanimity in the Cabinet, and that while the right hon. Gentleman the Chancellor of the Exchequer might be disposed to keep a House for the discussion of the question, some other Member quite as influential in regard to the management of the House might come to a different conclusion. He wished to point out that the Chancellor of the Exchequer, probably through haste, had misrepresented the object of the Motion. It was not merely a Protectionist Motion, but a Motion for granting Free Trade to India; and the questions involved in that proposition were of such very great importance that he thought they ought to be brought on at a suitable time of the day. The fact of the matter was that the most important part of the Business of the country—namely, the management of its finances and the consideration of its resources—was being burked in order to make room for the ecclesiastical "fad" which now possessed the imaginations of the Treasury Bench. He hoped there was a real disposition on that (the Opposition) side of the House to furnish a resolute opposition to the Government in their endeavour to put off all discussion upon this question. It was impossible, at that hour of the night, to enter into a proper discussion. The issues involved in the second reading of the Bill, even if so important an Amendment had not been upon the Paper, would have rendered it necessary that time should be afforded for adequate discussion. But considering the importance of the Amendment, and also the anxiety Her Majesty's Government had, on numerous occasions outside the House, expressed of their desire to have a thorough discussion of the whole Free Trade question, he thought they ought to accept the opportunity now afforded them, and even pressed upon them, and not be so unaccountably shy in declining the challenge. He hoped the Motion would be persevered with, because there was nothing left for the general body of the House to discuss but Motions of this kind. All great questions were packed away in Grand Committees; and even now it was proposed that this important Motion should be practically shelved by being deferred until after a midnight hour, for no reason whatever except to prevent discussion.

SIR STAFFORD NORTHCOTE said, he thought that everybody who had watched the course of his hon. Friend the Member for Preston (Mr. Ecroyd) since he had been in that House must be perfectly well aware that in making the proposal which he had placed upon the Paper he was only giving effect to the view he had always held and put forward with so much earnestness. He thought it was but fair to a Gentleman in the position of his hon. Friend, and holding those views, that he should have an opportunity of bringing them before the House. It seemed to him that his hon. Friend had chosen an opportunity for making his proposals which could not be called an unfair opportunity, but which was one extremely suitable for the discussion of such proposals as he thought it desirable to make. He (Sir Stafford Northcote) would say nothing as to the proposals themselves; but they were of a character which would, undoubtedly, require that his hon. Friend should have reasonable and ample time for explaining and unfolding them; and, of course, he ought to be answered with tolerable fulness, and in a proper manner, which could hardly be expected at that hour of the night. The right hon. Gentleman the Chancellor of the Exchequer said very truly that the Bill was one with which the Government were anxious to proceed. He (Sir Stafford Northcote) could quite understand that; but if they were so anxious, why, especially as there was such a Notice upon the Paper, did they not put off another measure which was certainly not so pressing and not of such immediate and urgent importance as this was? It seemed to him that the Government had no right, first of all, to take up the entire night with a discussion which had naturally been of an exhausting character, and then to say they were obliged to go on with the Customs and Inland Revenue Bill, when they were not bound to do anything of the kind on this particular day. They had some little time before them, having regard to former precedents, in which to pass the Bill; and he thought it was only right and fair that they should so arrange the order of Business as to give his hon. Friend a fair opportunity of bringing his Motion forward.

THE MARQUESS OF HARTINGTON said, he quite admitted the consistency and fairness with which the hon. Member for Preston (Mr. Ecroyd) had always advocated the views he was known to hold on this subject, and he should be glad that the hon. Member should have an opportunity of discussing those views. But, in the opinion of the Government, the opportunity which the hon. Member had taken, although he could not deny that he was technically in Order in bringing on the discussion of the Motion upon the second reading of the present Bill, was not a legitimate opportunity for bringing on a discussion. In the opinion of the Government, the Motion ought to be moved as a substantive Motion on a Tuesday or Friday; and they did not think they were bound to give the hon. Member the opportunity he desired, by putting the Bill down as a first Order. The right hon. Gentleman opposite (Sir Stafford Northcote) had referred to the discussion in which the House had been engaged during the evening. Whatever might be said of the right hon. Gentleman's own views, or those of his Friends, it was desirable, now that question had been placed before the country, that it should be thoroughly considered, and that the House should have an opportunity of arriving at a decision upon it at the earliest possible moment.

Question put.

The House *divided:*—Ayes 81; Noes 102: Majority 21.—(Div. List, No. 69.)

Question again proposed, "That the Bill be now read a second time."

MR. CHAPLIN said, it must now be apparent to Her Majesty's Government that the "evident sense of the House" was not in favour of continuing the discussion. He, therefore, begged to move that the debate be now adjourned.

MR. R. N. FOWLER said, he rose in consequence of a remark which fell from the noble Marquess (the Marquess of Hartington). The noble Marquess seemed to think that the hon. Gentleman the Member for Preston (Mr. Ecroyd) might obtain an opportunity of proposing his Motion on a Tuesday or a Friday. But Her Majesty's Government had ostentatiously told the House that it was not a duty of theirs to keep a House on a Tuesday or a Friday. ["No!"] That had certainly been said by the Prime Minister with regard to Tuesdays; and, moreover, the right hon. Gentleman laid down the principle that the Government would do nothing to keep a House on Tuesday. Under such circumstances, the hon. Member for Preston had no other course to pursue than to bring forward his Motion on an occasion like the present. He (Mr. R. N. Fowler), therefore, begged to second the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Chaplin.*)

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS) said, he did not quite understand the relevancy of the hon. Member's (Mr. R. N. Fowler's) remarks. The hon. Gentleman said that the Government would not pledge themselves to keep a House on Tuesdays or on Fridays. [Mr. R. N. FOWLER: I said Tuesday.] The hon. Gentleman distinctly said Fridays. He must have forgotten what the facts of the case were. On Tuesdays it was the duty of private Members to keep a House. If a private Member wished to bring before the House any question, he had an opportunity of doing so on a Tuesday; and if he could find 40 Members who were disposed to discuss the question, he would get that discussion, providing he succeeded in the ballot. The remarks of the hon. Member were not quite pertinent to the Question before the House, which was whether the debate should now be adjourned. He (the Chancellor of the Exchequer) regretted that so large a minority of the House should have supported the Motion for Adjournment; and he was bound to say he could not at all accept the principle that it was not proper, after 12 o'clock at night, to take the second reading of a Bill—a Bill which in itself was practically unopposed—because an hon. Member chose to exercise the right which every hon. Member technically had, of raising any possible financial question which could be raised on a Bill of this kind. There was no question connected with taxation which might not be raised as an Amendment to the second reading of this Bill; and the doctrine was now laid down that, because it was possible to discuss every single financial question which could be conceived, it was the duty of the Government to give the greater part of the evening to that discussion. He disputed such a doctrine, and should continue to do so; but after the small majority obtained in the division it would be impossible to endeavour to force the House, and therefore he would consent to the Motion.

Question put, and *agreed to.*

Debate *adjourned* till *Thursday.*

## ISLE OF MAN (HARBOURS) BILL.

(*Mr. John Holms, Mr. Chamberlain.*)

[BILL 101.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. John Holms.*)

MR. WHITLEY said, he wished to make a few observations to the House before the Motion was agreed to. For some time past he had opposed the Bill, upon grounds which he believed to be good and justifiable. By the Bill it was proposed to introduce an entirely new and novel system of taxation. The harbours of the Isle of Man, no doubt, wanted considerable repairs; and in the year 1874 an Act was passed, by which a tonnage due was charged on all vessels using those harbours. That Act, however, had not been put in force, and the harbours hitherto had been supported out of the general Revenues of the Island. A very considerable expenditure was now about to be incurred in the repair of the harbours; and, instead of putting in force the Act which was now in existence, Her Majesty's Government had brought in the Bill now before the House to meet that expenditure. In place of charging the tonnage dues, they proposed, by the present Bill, to levy a passenger duty—to make a charge of 3*d.* for every passenger landing in the Island, and for every person leaving the Island. They estimated that, by this system of taxation, they would be able to raise something like £1,500 a-year. He was aware that the hon. Gentleman the Secretary to the Board of Trade would say that the measure had been approved by the Tynwald Court of the Island, and by the Governor. It was quite true that the Tynwald Court of the Island did approve of the Bill; but no notice was given, at the time of its introduction, to the parties concerned, and no notice had been given up to the present moment. He believed the view of the Governor of the Island and of the Tynwald Court, that to make a charge for every passenger who, from time to time, came to the Island, was a very excellent way of avoiding taxation. The Tynwald Court was a comparatively small body; it was chiefly composed of farmers and agriculturists; and, no doubt, the novel proposition made in the Bill did at first commend itself to them. Since the idea of making this charge upon the visitors to the Island was formed, a very strong feeling had grown up in the town of Douglas, which was principally affected, against the provisions of the Bill. A Memorial had been sent to the Government; and he (Mr. Whitley) thought a Memorial signed by almost all the hotel keepers, lodging-house keepers, and the principal tradespeople in Douglas, had been submitted to the Board of Trade, stating that, in the opinion of the Petitioners, the Bill would have a very prejudicial effect upon the Island. The prosperity of the Island depended upon the immense number of strangers who visited the Island during the summer months. He believed that last year about 100,000 people visited the place; and the people of Douglas considered that any tax, however small it might be, would drive pleasure-seekers to other watering places. He had no doubt it would be said he was speaking in the interest of the Isle of Man Steam Packet Company. It was true the Company were affected, and they were affected in a very singular manner, for not only was it proposed to levy this tax upon the passengers, but it was actually proposed to make the Steam Packet Company the collectors of the tax. Instead of collecting the tax in the ordinary way, by means of the Custom House authorities, they made the Steam Packet Company the collectors of this invidious tax; and the Steam Company very properly objected to being tax collectors for the benefit of the Revenues of the Isle of Man. No doubt, it might be said this was, in some degree, a selfish action on their part; but they believed, and the people of Douglas believed, that to make a charge upon the passengers would be very detrimental, in the long run, to the interests of the Island. He (Mr. Whitley) thought he was justified in saying that the policy of the present Governor did not meet with the approval of the late Governor, and that, moreover, it would not meet with the approval of the Tynwald Court when another election took place. The present Court was elected without any reference to this new mode of taxation; but, at the present time, an election contest was going on in Douglas, the issue of which, he believed, would depend upon the views which the candidates took with regard to this novel system of taxation. If he could have had any hope that he could interest the House in what was, in some degree, a Local Act of Parliament he should have pressed his views, and the views of the people of Douglas, and of the Steam Packet Company upon its attention; but he was quite aware that it was very difficult indeed to enlist the sympathies of Members upon a question which might be regarded, and, no doubt, was regarded, as a purely local one. The deputation which he had the honour to introduce to the hon. Gentleman the Secretary to the Board of Trade used every argument that was possible against the Bill, but without effect, upon his hon. Friend. The hon. Gentleman thought he was carrying out the resolution of the Tynwald Court, and therefore he felt bound to persevere with the Bill. After the Bill was passed in that House, it would have to go again before the Tynwald Court, and he had every reason to hope and believe that in that Court it would be rejected. He could not sit down without acknowledging the great courtesy and consideration he had always received from his hon. Friend the Secretary to the Board of Trade; and if anything could have induced him to remove the obstacles he had hitherto raised to the progress of the measure, it would have been the kindness he had received at the hands of his hon. Friend. As a matter of form, he had to move that the Committee on the Bill be deferred till that day six months.

The Motion, not being seconded, was not put.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 and 2 *agreed to.*

Clause 3 (Publication, evidence, &c. of resolution).

Mr. JOHN HOLMS moved to leave out the word "to," in page 2, line 19, and insert the word "of."

Amendment *agreed to;* word *inserted* accordingly.

Clause, as amended, *agreed to.*

Clause 4 *agreed to.*

Clause 5 (Provision as to payment of duty and penalties, 10 & 11 Vict., c 27, 35 & 36 Vict., c 23.)

Mr. JOHN HOLMS moved to insert, after "embarkation," in page 4, line 14—

> "But if the owner or master of the vessel shows that such non-payment arises from any mistake or accident, and pays or tenders the amount of duty unpaid, the said tonnage rate shall not be enforced."

Amendment *agreed to;* words *inserted* accordingly.

Clause, as amended, *agreed to.*

Remaining clauses *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Thursday.*

*Mr. Whitley*

## MOTIONS.

### FOREST OF DEAN (HIGHWAYS) BILL.

On Motion of Mr. Courtney, Bill to provide for the repair and maintenance of certain Highways in the Forest of Dean, in the county of Gloucester, *ordered* to be brought in by Mr. Courtney and Mr. Herbert Gladstone.

Bill *presented,* and read the first time. [Bill 148.]

### FOREST OF DEAN (HIGHWAYS) BILL.

*Ordered,* That the Examiners of Petitions for Private Bills do examine the Forest of Dean Highways Bill with respect to compliance with the Standing Orders relative to Private Bills, pursuant to the Standing Order of the 19th February 1883.—(*Mr. Courtney.*)

House adjourned at One o'clock.

# HOUSE OF LORDS,

## *Tuesday, 24th April,* 1883.

MINUTES.]—Select Committee—House of Lords (Construction and Accommodation), The Earl of Redesdale and Lord Aveland *added.*

Public Bills — *Second Reading*—Elementary Education Provisional Order Confirmation (London)* (31).

*Committee* — *Report* — Elementary Education Provisional Orders Confirmation (Cummersdale, &c.)* (23).

### AFRICA (SOUTH)—ZULULAND—ENCROACHMENT OF SUBJECTS OF THE TRANSVAAL.

QUESTION. OBSERVATIONS.

The Earl of CAMPERDOWN, in rising to ask, Whether any further information has been received with regard to the encroachments upon Zulu territory by subjects of the Transvaal State; and what action the Government intend to take in the matter? said, it would be in the recollection of their Lordships that, prior to the outbreak of the Zulu War, a dispute existed about a large portion of the territory between the Zulus and the inhabitants of the Transvaal. That dispute was referred by consent of both parties to the arbitration of Sir Henry Bulwer, who appointed a Commission known as the Rorke's Drift Commission, which inquired into the merits of the question, and decided in favour of the Zulus; but, owing to the annexation of the Transvaal and the outbreak of the Zulu War, that decision was not carried out. After the war was over, however, a portion of the disputed territory was adjudged to the Zulus and a portion to the Transvaal. It was important to remember that, when the Transvaal State was re-constituted and again made independent in 1881, the borders were fixed and determined, and were accepted by the Representatives of the State, and were recognized in Clause 1 of the Convention. But no sooner had the Transvaal State gained independence than the encroachments commenced again, and the matter was referred to Mr. Osborn, the British Resident, for inquiry. In his Report, Mr. Osborn, who personally visited the Northern portion of Cetewayo's territory and the part of Uhamu's adjoining it, annexed a list of Boers who were permanently living South of the boundary line between Zululand and the Transvaal, and, therefore, within Zululand. He continued—

> "I learnt from those with whom I conversed that they consider themselves subjects of the Transvaal Government, although, owing to their residence being outside the Transvaal, they are not called upon by that Government to pay taxes or to otherwise comply with its laws. They said they were aware that they are living in Zululand; but as no other land has been given them as compensation for those farms which fell into Zululand on the making of the boundary line between it and the Transvaal, they have no place to go to; and some added, voluntarily, that they would vacate the ground as soon as they received suitable compensation, but not before."

But those were not the only intruders in Zulu territory. Mr. Osborn stated that—

> "He found, in addition, a large number of Boers who came and remained in Zululand during last winter with their flocks and herds for grazing purposes, and who returned to the Transvaal with their stocks after the spring had fairly set in. The Chief Cetewayo, within whose territory by far the greater number of these Boers squatted with their cattle, complained of the trespass and of the disregard of his remonstrances by the Boers."

There was yet another body of intruders besides those; for Mr. Osborn continued—

> "A considerable number of Transvaal Boers squatted with their stock in the same districts of Zululand during the winter of 1881; and, notwithstanding their removal on that occasion, in consequence of the remonstrances of Sir Evelyn Wood and the Royal Commission, they repeated the trespass to even a greater extent during the last winter, and there is no doubt that they will continue to move into Zululand next, and every succeeding winter, unless steps are taken to prevent them. While in Zululand these Boers ignore the authority of the Zulu Chiefs, and there are no other existing means by which order and their good conduct could be insured."

This extraordinary state of things was reported to Sir Henry Bulwer, and he passed on the report to Sir Hercules Robinson, pointing out the direct defiance of the terms of the Convention. Sir Hercules Robinson reported the matter to the noble Earl the Secretary of State for the Colonies, who had just at that time assumed Office. The noble Earl wrote a letter to Sir Hercules Robinson, directing him to inform the Transvaal Government that Her Majesty's Government had heard those facts with extreme regret, and to call on them to carry out the 19th section of the Convention. He wanted to know whether any answer had been received to that letter? He was afraid that if any answer had been received it must be of an unsatisfactory character, because they had already received the answer in anticipation from Sir Hercules Robinson. At the same time that Sir Hercules Robinson wrote to the noble Earl, he also addressed himself on the same day to the British Resident at Pretoria, desiring him to bring the matter before the Government at Pretoria, to point out that, as the Zulu nation had been disarmed and prevented from organizing any military system, the Transvaal Government was under special obligation to restrain their subjects from making encroachments, and to ask what steps they proposed to take. They returned a very short answer. Mr. Bok, the State Secretary, replied that—

> "The Government did not intend to take any steps in the matter, considering that the information obtained by them did not agree with the information supplied by Sir Henry Bulwer and Sir Hercules Robinson."

There the matter stood at present. The first thing to which he would call their Lordships' attention was that that answer was in express contradiction and open defiance of the terms of the Convention, which stated that the British Resident in Pretoria was to report on any case of encroachment by the Boers, and in the event of any question arising as to the reality of their encroaching on Zulu territory the decision of the Suzerain was to be final. Now, there was no doubt whatever as to the reality of the encroachments; and what Mr. Bok said was that his Government declined to do anything whatever, because its information did not agree with the information in the possession of Her Majesty's Government. What he wanted to know was, what Her Majesty's Government intended to do? Since the answer was given the question had become more complicated, because a month later Cetewayo was restored to his dominions, taking with him a Resident; so that, at the present moment, the Zulu territory was divided into three sections—the reserve territory, Cetewayo's territory, and that of another Chief, in two of which there was a British Resident. He understood that Her Majesty's Government undertook that, provided those Chiefs did not encroach on the territory of others, they should themselves be protected inside their own Frontier. He hoped, therefore, that the Government would be very firm, both in their language and in their action, in this matter, because it was impossible that such encroachments could be allowed. The same objection could not be urged against action in this case as was urged a few days ago in regard to Bechuanaland, because Zululand adjoined our own territories, and there was no doubt that the Zulus would gladly assist in organizing a Border Force necessary to maintain the integrity of the Borders. He had heard a great deal about the inexpediency of doing anything that would produce a Black and White war; but it would be contrary to our traditions and policy if we did not, under the circumstances, assist the Zulus, either directly or indirectly, to preserve the integrity of their territory. It did not follow that an expedition, or anything of the kind, was necessary; and he believed that if representations were firmly made by the Government they would be respected by the authorities of the Transvaal. So far as he knew, there had been no instance in which the Boers had attempted to invade territory which they distinctly understood was guaranteed by England. There was one measure which he hoped the Government would take—withdraw the British Resident from Pretoria, for all must admit that that portion of the Convention had proved a total and complete failure. So far as the Black Tribes were concerned, he had been powerless, under the Convention, to protect them, notwithstanding that it was expressly laid down that in cases of dispute the decision of the Suzerain was to be final, while, at the same time, the Resident was a special object of aversion to the Boers. He was one of those who agreed that it would have been impossible to permanently maintain our rule in the Transvaal, the annexation of which he regarded as most unfortunate. If they allowed the tribes living within the boundary under our protection to be oppressed and trampled upon, it would be looked upon as a sign of extreme weakness. It was a question which would not allow of delay. If the noble Earl had received a satisfactory answer, he (the Earl of Camperdown) would be very glad indeed; but he was afraid, judging from what was known, that when the Boers had once made up their minds they were not likely to change. He believed that at the present time there was a Representative of the Transvaal Government in this country, or, at all events, a person able to speak on their behalf. He (the Earl of Camperdown) hoped that language would be used to him as firm as that of Mr. Bok to Sir Hercules Robinson, and that he would be given to understand that this country could not allow any encroachment upon the adjoining lands. He had simply to ask whether any answer had been received to the last communication of the noble Earl, and what steps he proposed to take.

THE EARL OF DERBY, said that the Question his noble Friend had put upon the Paper was—

> "Whether any further information has been received with regard to the encroachments upon Zulu territory by subjects of the Transvaal State; and what action the Government intend to take in the matter?"

As to all the earlier parts of those transactions he had nothing to add to the information which was already in the hands of their Lordships, and which was contained in the last batch of Papers laid on the Table referring to South Africa. It was perfectly true that the answer of the Secretary of the Transvaal Government to the representations which were made in the course of the winter was by no means of a conciliatory character. With regard to the despatch he (the Earl of Derby) had written on January 17, 1883, he had not yet received an answer directly addressed to the question raised in that despatch; but he had received what was practically an answer to it, as he had received from the Transvaal Government a communication upon the same subject; and he was happy to say it was of a much more satisfactory character than he was led to expect from the tone of the earlier Correspondence. That despatch would be laid upon the Table in a short time. It was from Mr. Bok, the Secretary to the Transvaal Government, and was addressed to the British Resident. That despatch acknowledged the receipt of the letter of remonstrance of January 9, 1883, and stated that the communication had been considered, as also the Correspondence enclosed between the Governor of Natal and the High Commissioner; and, so far as the facts were concerned, they were under investigation, and if, after a personal examination, they should be found to be accurate, the Government would forbid all persons crossing the Border in an unlawful manner. He (the Earl of Derby) thought they could not have a more full and satisfactory assurance than that. With regard to one class of the persons referred to—those who, without any right or claim to land, had trespassed across the Border into Zululand—it was promised, in general terms, that they should be prevented in future; and it was evident that that language held by the Transvaal Government was very widely different from that held by them some weeks before. He thought he was entitled to say that the Government of the Transvaal intended to act upon the promise. With regard to the other class of Boer settlers whose presence in Zululand was compained of, the matter was not quite so simple. They were persons who had settled in the Zulu territory at the time when the boundary was not clearly laid down; and the question arose—it being not denied that they had a right to compensation if removed—the question arose at whose expense the compensation was to be paid? Mr. Bok, in his letter, said it was a question between the British Government and the Zulu Government, which had recovered possession of the territory, and he denied the liability of the Transvaal Government. He had only received this despatch within the last day or two, and had not been able to look into that question of compensation. But his noble Friend would be ready to admit that there was nothing in the tone of that communication of an unconciliatory or unsatisfactory character, because the Transvaal Government fully admitted that it was their duty to prohibit a certain class of persons from crossing the Border, and had announced their intention of doing so. With regard to the other class of trespassers, the question resolved itself into that of who were to pay the expenses of those persons who might be removed from the territory. There was nothing in that difference between the two Governments which was of an irreconcilable nature. As regarded the more general question which his noble Friend had just touched upon, but had hardly discussed, he would say that there was not an official Representative of the Transvaal Government here, but that there was a Member of that Government at the present time in England. He would be here for some time to come; and, though not formally accredited from his Government, he would, no doubt, be able to express their views, and professed to be fully acquainted with their ideas on this question. Her Majesty's Government had taken advantage of that gentleman's presence to obtain from him a very full and frank statement of what the Transvaal Government desired, and what they were prepared to do. He might also state that within a short time Sir Hercules Robinson, the very able Governor of the Cape Colony, would be in England. He had had a large experience in those matters, and would be able to go into the whole of them. He (the Earl of Derby) had no hesitation in saying that the present relations between Her Majesty's Government and that of the Transvaal were not of a satisfactory character; and he would be glad if he could see his way to place them upon a better footing. With regard to the withdrawal of Her Majesty's Representative from Pretoria, he did not think that that was necessarily connected with the maintenance of our present relations with the Transvaal; because, if no Convention were in existence, we should probably still require some Agent there. And the revision of the Convention did not necessarily imply the doing away with that Agent. If there should be a revision of the Convention, it would be a very fair question whether an Agent should be employed there, and on what footing he should be placed. But he would not go into that question now. With regard to the encroachment of the Boers on Zulu Tribes, he might state that those tribes were a warlike race, and he believed that they were not unarmed; and, considering the difficulties which the Transvaal Government had on their hands in other directions, he did not think it was likely that they would encourage their people to trespass upon the territory of the Zulus. So far as the relations of Her Majesty's Government with the Transvaal Government were concerned, he was able to say that they were willing to consider the question of a modification of the Convention; but until it was known more fully what the wishes of the other party were, it was impossible for the Government to come to any more definite conclusion.

THE EARL OF CAMPERDOWN said, he was glad to hear that the answer which had been received from the Boer Government was of a more satisfactory character; and, as regarded the migratory portion of the intruders, there was some probability that arrangements might be made. But another question had been suggested. The Transvaal Government had raised the question as to by whom the compensation should be paid. He could not understand how there could be any question as to the authority which ought to pay. In the first place, the encroachment was originally the encroachment of the Boers upon the Zulus; and in the next place, after the Zulu War, the boundaries were expressly fixed by the Boers, who, by the Convention, were to provide lands for those persons who were to be removed in lieu of those very lands now in question.

THE EARL OF DERBY was understood to say that he had only mentioned the fact that the Transvaal Government had raised the question, without stating that Her Majesty's Government had admitted that there was a doubt on the matter.

## EXPLOSIVE SUBSTANCES ACT, 1875—SECTION 23—STORAGE OF GUNPOWDER (IRELAND).

### QUESTION. OBSERVATIONS.

THE EARL OF LIMERICK asked, Whether the attention of the Irish Government has been directed to an application for a magazine licence for the storage of gunpowder and safety blasting powder at Conigar in the parish of Mungret and county of Limerick; how far the proposed magazine will be from a constabulary barracks; and what steps will be taken, if it is sanctioned, to protect it and prevent its being broken into? He said that a powder magazine had already been broken into in Ireland, and a considerable quantity of dynamite stolen therefrom, which had not yet been recovered, but was concealed somewhere in the country. Under those circumstances, he trusted that every precaution would be taken by the Government to prevent a repetition of such an occurrence.

THE EARL OF ROSEBERY, in reply, said, he could assure the noble Earl that the attention of the Irish Government had not been called to the fact; but he would remind him that the administration of the Explosive Act was under the control of the Home Secretary, and he had the granting of provisional licences for the erection of magazines of this kind. Before the magazine could be erected, moreover, a licence had to be obtained from the local authority, and, under the Peace Preservation Act, from the magistrates also. In the future, however, before any provisional licences were granted, the opinion of the Irish Government would be taken as to the desirability of granting them. The present magazine was a little more than a mile from two constabulary barracks. He would remind the noble Earl that the 23rd section of the Explosives Act threw the onus upon the occupier of preventing the unlawful entrance of any unauthorized person into the magazine; and a Circular had recently been issued by the Home Secretary directing the special attention of the owners of magazines to that provision, and giving stringent instructions to the Inspectors with regard to it.

## NATIONAL EDUCATION (IRELAND).

### MOTION FOR A PAPER.

THE EARL OF LONGFORD said, he rose to move for Copy of Rule 1. of the Rules and Regulations of the Commissioners of National Education in Ireland; to call attention to Papers (National Education, Ireland) ordered by the House of Lords to be printed, 1st March 1883; and to inquire when an answer may be expected to the Letter from the Earl of Longford to the Lord President of the Council, dated 9th November 1882? His Question had reference to the employment of nuns in religious dress in other than convent schools which were under the National Education Commissioners. He contended that, as the Rules of the Education Commissioners were at present constituted, members of religious communities wearing the dress described were not eligible as teachers, especially now that it was proposed to make school attendance compulsory; so that a Methodist or Presbyterian might find himself compelled, under a penalty, to send his children to a school conducted by a Sister of Mercy. He complained that neither the Lord Lieutenant nor the Lord President of the Council had officially answered the letters on the subject which he had addressed to them. Under these circumstances, he thought the best course of attracting public attention to the matter was by the course he had now taken; and he hoped that when an answer did reach him from the Government it would be more favourable to the views which he had on a former occasion expressed, and would be satisfactory, not only to himself, but to others, who, though by no means hostile to the system of National Education, desired to retain the existing Rules in their integrity.

*Moved* for, "Copy of Rule 1. of the Rules and Regulations of the Commissioners of National Education in Ireland."—(*The Earl of Longford.*)

Lord CARLINGFORD (Lord President of the Council) said, there was nothing new in the Question of the noble Earl, and he could only repeat the answer which he gave to him some weeks ago. On that occasion he answered the Question fully, and he had nothing to add to the substance of that answer. The National Commissioners, and also the Lord Lieutenant, were convinced that no Rule of the Board had been broken by the action or inaction of the National Commissioners, and that Rule 72, of which they had heard so much, had no relation to the dress of the teachers in the school. The noble Earl had rightly said that in the case of a workhouse school the connection of the National Commissioners with it was very slight indeed. They had nothing to do with the appointment of teachers; they could not revoke or even censure the teachers; and their only connection was that of supplying inspection. The only question with the National Commissioners, therefore, had been whether they were bound to strike the workhouse school referred to out of connection with the Board, simply because a nun taught in the school in religious dress. No Rule had been broken, however, in their judgment and in that of the Lord Lieutenant, by this fact; and they had not thought it their duty to strike the school off the list of schools in connection with the Board. He was very willing to say this, however—that this refusal did not in any way imply the adoption of any new policy with respect to the employment of nuns in the ordinary schools, and no such policy was contemplated by them. He admitted the complaint of the noble Earl that he had not officially answered his letter; but he did so in an informal way. He should be happy to give the noble Earl an official reply if he desired it. The answer of the Lord Lieutenant was contained in the last letter of the Correspondence which had taken place with the Lord Lieutenant and the National Commissioners, in which the Lord Lieutenant said—"He saw no reason to dissent from the view taken by the National Education Commissioners." That was the view of the Lord Lieutenant, and nothing had reached him since to induce him to alter that opinion.

Motion *agreed to.*

Copy *ordered* to be laid before the House.

House adjourned at half past
Five o'clock, to Thursday
next, a quarter past
Ten o'clock.

# HOUSE OF COMMONS,

## *Tuesday, 24th April,* 1883.

MINUTES.]—Private Bills (*by Order*)—*Second Reading*—Canvey Island (Sea Defences) *; Metropolitan District Railway.

Public Bill—*Second Reading*—Local Government Provisional Orders * [142].

## *PRIVATE BUSINESS.*

## METROPOLITAN DISTRICT RAILWAY BILL (*by Order*).

### SECOND READING.

Order for Second Readng read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Charles Forster.*)

MR. HICKS said, that, in rising to move that the second reading of the Bill be put off until that day six months, he would venture to trouble the House with very few remarks, in order to explain why he stood there in the position of Mover of this Amendment upon a Bill of such great importance, for the importance of the Bill was acknowledged by a considerable number of Members sitting in all parts of the House. He believed it was also acknowledged, in very strong terms, by the President of the Board of Trade. But when this Bill was originally put down for a second reading there was nobody in the House to object to the Motion, and he therefore took upon himself the duty of taking that course; and, having done so, he put down the Amendment which now stood in his name upon the Paper. He begged to move that Amendment; and he did so in the full confidence that the House would take care, before the Bill was passed, that justice was done to the ratepayers of this great Metropolis. In proposing the Amendment he had no wish to stop legislation; but he wished to afford the promoters of the Bill an opportunity of coming to terms with the authorities of the Metropolis—namely, the Metropolitan Board of Works, who owned the road over the Embankment, and the Gardens which had been constructed upon it, and which had been made at great expense for the benefit, health, and use of the people of the Metropolis, and which it was most desirable should not be interfered with or destroyed. But he was sorry to say that up to this time no such agreement had been come to; but there were Amendments upon the Paper which might, and he trusted would, have the effect of carrying out the object he had in view, and which, if they had been accepted, would have rendered it unnecessary to press this Motion to a division. He begged the House to bear in mind the position in which they were now placed. They were told that they were trying to take away a privilege that had been conferred upon a Railway Company in a former Session. Now, he did not wish to do anything of the kind. He had too great a respect for the rights of property to wish to take anything away which belonged either to an individual or to a Corporation; but because he did not wish to have the rights of property taken away, that was no reason why he should confer further gifts; and, if those who had obtained powers without the knowledge of the House were asking now for further benefits, he thought the House would agree with him that they were perfectly justified in refusing to confer those further benefits until the interests of the public were duly protected, and the power of injuring this Embankment and these public Gardens was taken away, or, at any rate, greatly modified. He had been told that it was the duty of the House to have known the nature of the Bill before they passed it. But was there anybody in the House who would contend seriously for one moment that it was possible, or in the power of any Member of the House, to read the contents of every Private Bill? Such Bills were sent up to a Select Committee; and up to this year Select Committees had never, apparently, for a long period felt themselves called upon to report to the House any special or particular circumstance connected with the Bills submitted to them. That course of proceeding, he was glad to say, had been considerably modified by the new Standing Order, passed this Session, with regard to Private Bills introduced into that House; and it would be the duty now of all Committees upon Private Bills to draw the distinct attention of the House to anything contained in the measure submitted to them of a novel or unprecedented character. He was quite sure that if the attention of the House had been drawn to any proposal calculated to injure and destroy the Thames Embankment, and the Gardens laid out upon it, the House would never have listened to it for a moment for the purpure of conferring a benefit upon a private undertaking. Hon. Members who would take the trouble to go and look at this Railway would find that some of these ventilators were placed within 140 yards of a station—for instance, the ventilator at Charing Cross was within 140 yards of the station, and the ventilator nearest to the House of Commons was within 220 yards of the Westminster Station, the opening over which the Railway Company were themselves proposing to make smaller than it was by constructing a bridge which would materially reduce its ventilating power. As he had said, he had no wish to stop legislation; and he hoped some arrangement would be come to, before a division was taken, by which the interests of the public might be fairly and duly protected. But until that arrangement had been come to he should persevere with the Amendment which stood in his name, and which he now begged to move—namely, that the Bill be read a second time upon that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Hicks.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. ANDERSON said, he had listened attentively to the speech of the hon. Member for Cambridgeshire, who had moved the rejection of the Bill; and the only ground upon which the hon. Member appeared to have moved it was that certain powers had been given to the Railway Company without the knowledge of the House. He entirely denied that those powers had been conferred without the knowledge of the House, any more than that any provision in every kind of Bill they passed was without the knowledge of the House. He took it that everything they did through their Committee was done with the knowledge of the House, and was afterwards confirmed by the House when they consented to the second reading of the Bill. It was, therefore, quite an idle argument to say that anything done in that way was done without the knowledge of the House. If they once began this system of overhauling the work of the Private Bill Committees in these matters, where would it end? If, two years after, one of these Private Bill Committees had sat upon a question, had taken all possible evidence upon it, had sifted it to the utmost, and had given certain powers to a Railway Company—if, after such Bill had gone through the House of Lords, where it would have undergone the very same process of sifting and searching, and the powers were confirmed to the Railway Company, this House was to re-open such questions two years afterwards, in this way there would be no end to such an objectionable system. A great deal more had been made of this question than it deserved. A most absurd fuss had been made about a very small matter. ["Oh!"] Hon. Members who cried "Oh! oh!" he ventured to say, had not seen these structures. ["Oh! oh!"] Let hon. Members walk along the Embankment, and he was bound to say that if they did not go for the purpose of seeing these ventilators they would never see them at all. No doubt, the newspapers said they were to be 20 feet high; but the height of them was only eight feet, and they were about 20 feet long. They were to be covered with greenery; and in place of a building hideously ugly they would have a structure which would be rather ornamental than otherwise, or, at all events, not half as ugly as the long stretch of dead wall put up behind the Duke of Buccleuch's property and that of the Board of Trade. These structures would neither be so high or so ugly as that long dead wall, and not one-tenth degree as ugly as a certain hideous red brick building which had been put up at Charing Cross by the Metropolitan Board of Works; and yet the Metropolitan Board of Works came there protesting against the destruction of the Embankment, although they themselves had been erecting this hideous brick building. It was said that it was only a temporary building; but it was manifestly intended for a permanent one, and it would spoil the Embankment much more than these ventilators. It was a building 80 feet long and some 20 feet high, and hideously ugly in every respect. It had been said that the Railway Company had sold certain land which they might have used for ventilators, and that if they had used that land for ventilators it would not have been necessary have put up these structures. He should like any hon. Member who knew the fact to point out what land the Railway Company had sold. He was informed, and he believed it was true, that they had sold no land whatever East of Westminster Bridge that could have been so used. A great deal had also been said about certain girders being put up at the Westminster Bridge Station, which, it was asserted, would interfere with the ventilation of the Railway. They would not interfere in the least with the ventilation of the Railway; and, although it was alleged that they would interfere with the ventilation of the station, that also was not the fact. He should like to give the history of these girders, because it was a rather curious one, as far as the Metropolitan Board of Works were concerned. The Railway Company owned a piece of land on the north of the Railway facing the back street. They sold that land some years ago—six, eight, or 10 years ago—and they sold it under the condition that if the purchaser of the land ever required access to the Embankment, the Railway Company should allow him to bridge over the line so as to connect that piece of land with the Embankment. The only way he could get across the Embankment was by buying a piece of land belonging to the Metropolitan Board of Works. The Railway Company wanted to purchase the same piece of land for the improvement of their station; but the Metropolitan Board of Works would not sell it to the Railway Company, although they actually sold it to the owners of the piece of land on the other side of the line, and by that sale they brought into play the old condition that the purchaser was to be allowed to connect it with the Embankment by a bridge over the Railway. Therefore, in reality, the connection was that of the Metropolitan Board of Works, and not of the Railway Company. It was, however, only 16 feet wide, and it was a mere passage that would not interfere with the ventilation of the tunnel or the Railway at all. He might say that he did not care a straw for the Railway itself. The Railway Company were well able to defend themselves, and it was not in their interests that he took up the question, or was induced to speak upon it; it was simply and solely in the interests of those who used the Railway. He used it himself constantly; and, therefore, he knew the enormous improvement which had taken place in consequence of the construction of these ventilators. There were probably more travellers who passed through that tunnel in the course of an hour than went along the Embankment in a week, and perhaps a great many more than that. The Railway actually carried 30,000,000 of passengers in the course of a year. There were 32 trains passing over the line, taking the two ways, every hour; and with trains passing every two minutes there must necessarily be a constant cloud of smoke in the tunnel. There was no time for it to escape; at least, there was no time for it to escape before these ventilators were made. There could be no time for the smoke of one train to escape before the smoke of another train filled the tunnel up again. The result was not only that the passengers down below were choked, but there was a very considerable amount of risk attached to the working of the line. The Railway officers could not see the signals, and there might have been any day, if anything exceptional happened, some terrible calamity. If the House went back now upon this proposal and caused the ventilators to be shut up, they might depend upon it that some calamity of that kind might any day occur through their action, and he would ask them to think twice before they ran the risk of doing that; because, while there were 30 trains per hour now, there would be a great deal more shortly, and they would be every day increasing in number, until they became as numerous as it was possible for the Railway to run. Therefore, it was not only for the health of the passengers, but for the safety of the travelling public, that it was absolutely necessary these ventilators should be preserved. The history which had been given of the ventilators was not quite correct. The Committee of the House did not absolutely provide them; they did not fix the plans; but they simply gave the power, and desired the Railway Company to enter into negotiations with the Metropolitan Board of Works as to where the places should be, their position, and the nature of the openings. The Railway Company very properly went to the Metropolitan Board of Works; but the Metropolitan Board of Works kept them at arms' length, and declined to negotiate with them at all. At last the Railway Company were obliged to go to the Board of Trade to get an Arbitrator appointed to settle the matter. The Board of Trade appointed Captain Galton. Captain Galton went over the matter again, took evidence, and, after an inquiry, fixed the openings, and actually drew the plans for them. Captain Galton gave his award in February in this year, and it was only since then that the award had been acted upon. The Metropolitan Board of Works knew quite well for two years that the work was about to be done; and yet, after the Bill of the Railway Company passed, which it did in the year 1881, they did not offer to bring in a new Bill, nor did they in 1882 offer to bring in a new Bill; and it was not until after the month of February in this year that they attempted to get the Standing Order set aside in order that they might bring in a Bill to undo the work which the Railway Company were trying to do. The Standing Order Committee very properly refused to listen to their application; and he hoped the House would also refuse to do anything towards re-opening the question. He had nothing more to say, beyond expressing a hope that the House would think twice before destroying the work of its own creation. He trusted the House would support him in maintaining the decision of its own Committee, and that it would refuse to adopt the Amendment which had been moved for the rejection of the Bill.

Mr. EVANS said, he hoped the House would allow him to address them for a few moments, as he had been the Chairman of the Select Committee to which the Bill, which had been so much criticized, and which contained the power to construct the ventilators, had been referred. He was not in a position at that moment to go into the acts of the Committee, nor had he a copy of the Evidence; and if he had, he did not think the House would thank him very much if he were to lay before them the Evidence which induced the Committee to arrive at their decision. He would, therefore, only say that the whole matter was gone into very fully indeed, and that it was thoroughly sifted; and in the course of the inquiry all the different bodies and individuals concerned, not only on the part of the City of London, but of the Metropolitan Board of Works and private individuals, as well as the Railway Company itself, were represented before them, and all heard at great length. The whole matter was thoroughly and fully considered, and he might add that there was no difference of opinion on the part of any Member of the Committee, in the decision that was arrived at. The result, therefore, was that the powers now in question had been conferred upon the Railway Company with the full sanction of every Member of the Committee. At that time it was admitted on all hands to be a very desirable thing in itself that the Metropolitan Underground Railway should be thoroughly ventilated. An enormous number of the public made use of the railway. He made very little use of it himself; but he knew that others did, and the traffic upon it was so great that it was of the highest importance it should be well ventilated. There could not be two opinions about that. The only question was, how that ventilation could best be carried into effect; and whether it could be carried into effect without causing serious inconvenience to those who were accustomed to pass through the streets and gardens running over the top of the Underground Railway? The Select Committee went into the question very carefully, and they came to the conclusion that the proposed plan would not cause any serious inconvenience, either to the public who used the streets, or to the gardens above the Metropolitan Railway. As the hon. Member for Glasgow (Mr. Anderson) had just stated, the Metropolitan Board of Works were applied to to arrange the mode in which the ventilators were to be constructed; and when it was found that they were unable to arrange it, the Board of Trade were applied to, and the Board of Trade referred the Company to Captain Galton as to the manner in which the ventilators were to be built. There appeared to be a great difference of opinion as to the effect produced by the ventilators since they have been erected. Some Gentlemen said they were a great nuisance and a great eyesore; whereas others said that if any impartial person would walk along the Embankment he would soon convince himself that they were no nuisance whatever. Now, he had walked along the Embankment himself, and he had certainly arrived at the conlusion that the nuisance and inconvenience caused by the ventilators had been very much exaggerated. If his attention had not been drawn to the matter, and if there had not been a discussion of it in the newspapers and elsewhere, he did not think he should have observed these ventilators at all as he walked along the Embankment. He did not mean to say that the structures in question were very beautiful; but he did say that they were not disfiguring, and they were not offensive; and when they were overgrown with ivy and other plants they would be far less conspicuous than they were at present. He had examined them on various occasions, and he had certainly been able to see very little steam coming from them; so little, indeed, that it would hardly be noticed unless special attention was directed to it. That was all he had to say in regard to the ventilators. The hon. Member for Cambridgeshire (Mr. Hicks), who had moved that the Bill now before the House should be read upon that day six months, did not appear to know anything about the Bill; and he (Mr. Evans) must say that it would be a very strong measure if the House rejected the Bill, which was unobjectionable in itself, because something had been done two years ago in connection with the Railway Company in applying for another Bill which was objectionable. Such a course would be most unfair towards the Company who were promoting the Bill. The hon. Member who moved the rejection of the Bill, as far as he could understand him—and he had listened to the hon. Member's speech very carefully—did not mention a single objectionable feature of the Bill itself. All that the hon. Member said was that certain things had been done before, and that those things ought to be put an end to; but as to the provisions of the Bill itself, he had no objection to urge against them. Under those circumstances, all he (Mr. Evans) could say was, that if the House were to reject a Bill that was unobjectionable in itself, because something had been done that ought not to have been done two years ago, it would be a very strong measure indeed, and he hoped the House would not give its assent to such a course.

Sir ARTHUR OTWAY desired to say a word upon the matter, because he really thought the Motion before the House was a very unusual one, and required some notice from him in the position which he at present occupied. In point of fact, the question of the ventilators was not before the House at all. There was no question whatever in the Bill about the ventilators; and he hoped that now the hon. Member for Cambridgeshire (Mr. Hicks) had directed attention to the point which he wished to raise, he would not consider it necessary to persevere with the Motion that the Bill should not be read a second time. The Bill was drawn in the ordinary language, as far as he could see, that was contained in all Railway Bills; there was certainly no objection of such a nature as should induce the House to refuse to give a second reading to the Bill. As far as he had gathered from the speech of the hon. Member, his only objection was to the erection of the ventilators on the Embankment and in the City; but if the hon. Member were to succeed in inducing the House to reject the second reading of the Bill, by that very act he would stand in the way of bringing about that which he himself wished to do—namely, to produce that modification of, or to do away altogether with, the ventilators. It would be far better to read the Bill a second time, and then to proceed with another Motion which stood upon the Paper; because the hon. and learned Member for Brighton (Mr. Marriott) would then move, after the second reading of the Bill, that an Instruction should be given to the Committee which would enable them to deal with that subject. They had excited themselves, if he were allowed to say so, somewhat prematurely upon the question of the ventilators; and he advised the House to confine themselves to the simple Motion before them, which was that the Bill, which, as far as he could see, in none of its clauses touched the ventilators, should be read a second time. He submitted to the House that there was no reason whatever why the second reading of the Bill should not be acceded to.

Sir JAMES M'GAREL-HOGG joined in the appeal of his hon. Friend the Chairman of Committees to the hon. Member for Cambridgeshire (Mr. Hicks) not to press the Amendment upon this occasion; and, in doing so, he felt called upon to take advantage of the opportunity for answering a few of the observations which had been made. The hon. Member for Glasgow (Mr. Anderson) had tried to make out a case against the Metropolitan Baard of Works in regard to some red brick building which they had put up upon the Embankment. He did not think the hon. Member knew very much about the place. All that he could say was that it was only a temporary building to enable the Embankment to be lighted by electricity, and he hoped that it would not be a permanent one. His argument about destroying the Gardens and the roadway by the construction of these ventilators was a very different thing indeed from the question of this building, which was only a temporary measure in regard to the lighting of the Embankment in a better way than it had been lighted before. The hon. Member for Glasgow (Mr. Anderson) had also spoken about the land; but where the hon. Member got his facts from he could not understand. He must have got them from his own imagination. The land was sold; and all he could say about it was that it was sold to the St. Stephen's Club for the purpose of enlarging their building. If they had not chosen to do so it was no fault of the Metropolitan Board of Works. He had no recollection whatever, and knew nothing about any arrangement that might have been made by the Railway Company in the event of access being required over the station to the Embankment. He thought the hon. Member made the case a great deal worse when he assumed that the Railway Company always had the intention, when they got a certain number of openings, of not utilizing them for their own purposes, but of selling them to some other persons, and then, when they had sold them, of trying to take away from the Gardens and the public the property for which they had not paid a single farthing, and for which they did not propose to pay anything. He made his hon. Friend a present of his own argument; but he did not think it would do him much good. All he could say was that when the Metropolitan Board of Works, together with the City authorities, came before the Committee, they called the most able engineers, who showed that there were plenty of means for ventilating the Railway without in any way erecting these hideous structures in the public streets and gardens. He might add that the Railway Company brought before Captain Galton 15 different kinds of ventilators, all of them hideous ones, and one of them of tremendous length, which was proposed to be put up opposite the House of Commons. He only wished, with all his heart, that Captain Galton had passed that one, because it would have brought home to the minds of hon. Members the destruction and disfigurement that were contemplated; and they would have seen that there were even more objectionable methods of ventilating the Railway than those which had been adopted. He hoped the House would accept the suggestion of the hon. Member for Rochester (Sir Arthur Otway), and that the division would not be taken upon the second reading of the Bill. He desired to show all fairness towards the Railway Company; and he thought the division ought to be taken upon the Instruction which the hon. and learned Member for Brighton (Mr. Marriott) proposed to move. He certainly hoped that the House would pass that Instruction to the Committee not to allow these horrible structures to remain. He, therefore, hoped that the hon. Member for Cambridgeshire (Mr. Hicks) would withdraw his Amendment.

MR. MONK said, that before the Amendment was withdrawn he wished to put a question to his hon. and gallant Friend who had just sat down. He was perfectly astonished to hear his hon. and gallant Friend say that the Metropolitan Board of Works had not received a large sum of money from the Railway Company.

SIR JAMES M'GAREL-HOGG said, he had never stated anything of the kind.

MR. MONK said, that his hon. and gallant Friend had kept back from the House a most important fact, because it appeared that the Railway Company had paid no less than £200,000 to the Metropolitan Board of Works, which covered permission to erect these ventilators.

SIR JAMES M'GAREL-HOGG said, the hon. Member was entirely wrong.

MR. MONK said, that sum was paid for the making of the Railway, involving, as he had supposed, leave to construct these ventilators.

MR. HICKS said, he was entirely in the hands of the House; and if it was the opinion of the House that he should withdraw the Amendment—["No!"]—he should be ready to do so, on the understanding that the discussion would be taken upon the Instruction to be moved afterwards by the hon. and learned Member for Brighton (Mr. Marriott). On that understanding he would ask leave of the House to withdraw the Amendment. As he had stated when he moved the rejection of the Bill, he had been placed under the necessity of moving that Amendment simply from the fact that there was nobody in the House at the time the second reading was first moved to stop the further progress of the Bill. He begged to withdraw the Amendment.

Mr. SPEAKER: Is it your pleasure that the Amendment be withdrawn? ["No!"]

Mr. R. N. FOWLER said, that upon that question he wished to make a remark in reference to something that had fallen from the hon. Member for South Derbyshire (Mr. Evans). He was glad to hear from the hon. Member that when the Bill was before the Committee, the erection of these ventilators was strongly opposed by the City of London; because it had been made a charge against the City that they had allowed the Bill to pass without opposition.

Mr. EVANS said, the statement he had made was that the City and the Metropolitan Board of Works were both heard.

Mr. R. N. FOWLER said, the erection of the ventilators was opposed by the City of London, in concert with the Metropolitan Board of Works; and he wished to emphasize the fact that the Bill was passed by the House in spite of the opposition of the City and of the Metropolitan Board of Works. Against the wishes of both of those Bodies the House allowed these ventilators to be erected without any attempt to prevent it. The hon. Member for Glasgow (Mr. Anderson) seemed to think that the ventilators were no disfigurement. He did not know whether the hon. Member ever went East from that House, because he was satisfied, from his own experience, that any hon. Member who walked from the House to Waterloo Bridge would find that the Embankment was very much spoilt by the ventilators; and, having occasion to travel very frequently by the Railway, he could not find that any inconvenience experienced from the bad ventilation of the line had been remedied by the course taken by the Railway Company.

Mr. W. H. JAMES said, he had no wish to detain the House; but there were one or two points upon which he desired to say a word. It was said to be the desire of the Railway Company that the line should be properly ventilated; but the highest authorities almost universally concurred, whatever the opinion of the hon. Member for Glasgow (Mr. Anderson) might be, that, practically, for the purposes of ventilation, these blow-holes were of no use. He also believed there was a general concurrence of opinion that it was most desirable that the public who used the Gardens, and passed along the roadway, should not be annoyed by the offensive fumes which were more or less throughout the day emitted from the ventilators. But the whole question which underlaid the matter was a very much larger question than that of the ventilators, and from that question the public would not be drawn aside. He would like to ask the Representatives of the Railway Company why, in erecting these ventilators, they took the public ground at all? Why did they not take land which belonged to private individuals? There was ample accommodation for them on such land. Why, for instance, should they not have gone to Whitehall Gardens? The reason why there was such a strong feeling in the matter was, that the Railway Company had practised upon the public something in the nature of a fraud. They had taken what belonged to the public, and they had not paid them for it. He hoped the hon. Member for Cambridgeshire (Mr. Hicks) would withdraw the Amendment, and that the issue would be taken on the question about to be raised by the hon. and learned Member for Brighton (Mr. Marriott). Although, as a general rule, it was undesirable that the House should reverse a decision given by a Private Bill Committee only two years ago, he thought, in this instance, the House was justified in taking the strongest possible measures for the protection of the public against what might be regarded in the nature of a swindle upon the ratepayers of this great Metropolis.

Mr. GREGORY said, it appeared to him desirable, if there was any hon. Member present who was competent to speak on behalf of the Railway Company, that he should give the House some information as to what they proposed to do in reference to the ventilators. In that case the Motion might be withdrawn; but, if not, and if no offer was made on the part of the Railway Company, he did not see why they should not proceed with the Motion.

MR. CROPPER wished to say one word in reply to the remarks of hon. Members who opposed the second reading of the Bill. In the first place, it was said by the hon. Member for Gateshead (Mr. W. H. James) that, in the opinion of the very highest authorities, these ventilators were of no use in relieving the tunnel of foul air; but immediately afterwards the hon. Member said that the fumes arising from the ventilators were perceived by persons walking above. The assertion that a swindle had been committed by the Railway Company was simply outrageous. The Railway Company brought in a Bill, which went before Select Committees of both Houses, each of which considered the proposals contained in it. The question then went before an eminent engineer—Captain Galton—and everything was done in a fair and open way, the result being that the erection of the ventilators was sanctioned. He could not help thinking that this great Metropolis was immensely indebted to the Railway Company for the services it rendered to the public, and the House ought to bear with them. There was evidently some misapprehension as to the nature of the ventilators; and he thought if hon. Members would only go and look at them, they would not consider them to be the deformities they had been described. He had inspected them himself, and had travelled underneath them; and he was convinced that the small eyesore they were was insignificant in comparison with the great advantage they conferred upon the millions who made use of the Railway. Surely it was not too much to give up a few yards of space in order to preserve the health of 30,000,000 of people who were travelling down below. So far as the smoke was concerned, he was satisfied that the steamboats upon the Thames produced far more, and made a much more offensive smell.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed.*

MR. MARRIOTT said, that, in rising to move the Instruction which stood in his name in regard to the Metropolitan District Railway Bill, he fully agreed that the House ought never lightly, and without good cause, to reverse its policy or repeal an Act it had recently passed. But, while he laid down that principle, he would also submit another proposition to the House—namely, that if the House, or a Committee of the House, had made a mistake they ought not to be above repairing it. That House was not absolutely infallible, and if it did make a mistake it alone could rectify it. The House was very much influenced by precedent; and in this case there were precedents, both of a Public Act and of a Private Act, to show that on occasion the House would reverse its policy. In the year 1854 a Bill was passed for regulating the sale of beer and other liquors on the Lord's Day. It was the 17 & 18 *Vict.* c. 79. In the year after—1855—that Act was repealed by the 18 & 19 *Vict.* c. 118, and the ground stated in the Preamble was that the Act had been found to be attended with inconvenience to the public. All he submitted was that if the Act of Parliament which had been passed allowing these ventilators to be erected had been found to work substantial inconvenience to the public, then it was clearly the duty of the House to step in—not in a vindictive spirit, nor with any desire to impose a fine on the Railway Company, but in order to do justice to all parties concerned by reversing their former decision. He did not think the House, at the present moment, was fully in possession of all the facts of the case. He was happy to find that there were hon. Members present who were on the Committee which passed the Bill, and which allowed these ventilators to be erected. He had said just now that there were two Acts of Parliament which established precedents. He had given the precedent of a Public Act which told very much, he thought, in favour of the course he was now asking the House to adopt; and he would now give the precedent of a Private Act, or rather of two Private Acts, one of them passed in 1879 and the other in 1881. The hon. Member for South Derbyshire (Mr. Evans) was, he believed, the Chairman of both Committees by whom those Acts were passed.

He should be very sorry to say one word that was disrespectful towards the Committee who passed the Bill to which so much objection was now taken. He had no desire to join in any declaration, as was done on a former night, against the tribunal of Select Committees. He believed that Select Committees, in the long run, were most excellent tribunals, and that all the points which were raised before them received justice at their hands; but Select Committees might make a mistake sometimes. The ventilators in Victoria Street on the Thames Embankment, and in Queen Victoria Street, were erected under the Act of 1881. Before the Select Committee in that year there appeared the Metropolitan Board of Works, the Corporation of London, the Benchers of the Inner Temple, and the Vestry of St. George's to oppose. They called as witnesses Colonel Heywood, Sir Frederick Bramwell, Sir Joseph Bazalgette, and other independent engineers, who all gave evidence that there were plenty of other means of ventilation, and that these blow-holes would not ventilate the Railway properly. The Railway Company only called their own engineer, and nobody else. The Railway Company asked for other powers, besides the erection of these ventilators in the public streets; and he wished to call the attention of the House specially to this—that they asked for compulsory powers to take land belonging to private individuals, and also power to take a tunnel close to the new City of London School on the Embankment, which ran underneath from the Embankment alongside of the Railway. That tunnel belonged to the Corporation of London, and the Railway claimed power to take it over by agreement, or on the payment of a proper sum by way of compensation. He did not wish to say a word against the Committee who gave these powers. But what did they do? That was the important part of the matter. They allowed these ventilators to be made on the public ground. They allowed the District Railway to obtain power to purchase certain property belonging to private individuals, and especially this tunnel belonging to the City of London; but they prohibited them from touching the Temple Gardens, which were private property, or taking any land belonging to the Crown, or to the Office of Works; because if they had done so they would have gone through the gardens of the Duke of Buccleuch, and of several other wealthy men who inhabited the houses looking upon the Embankment. Then, what he had to say was this—that the Committee gave the Railway Company power to plunder the public, while they protected private individuals. He should be sorry to see the Gardens of the Inner Temple, which happened to be in front of his own Chambers, spoilt; and he was grateful to the Benchers for having opposed the proposal, and for having opposed it successfully. But he must ask, why were the Benchers of the Inner Temple, and the Duke of Buccleuch and persons who happened to live in Whitehall Gardens, to be spared, while the public gardens and highways were handed over to the Railway Company free and without cost? After the passing of this Act, what took place? The Railway Company made overtures to the Metropolitan Board of Works for the erection of these ventilators. The hon. Member for Glasgow (Mr. Anderson) said that the Metropolitan Board of Works held them at arm's length. Some remarks had been made in regard to the City of London and the Metropolitan Board of Works not having opposed the Bill. The fact was they did oppose it from the beginning in every possible way they could. There were only two ways in which they had not opposed it. They did not hold a public meeting in Hyde Park, and his hon. and gallant Friend the Chairman of the Metropolitan Board of Works did not march a mob down to Trafalgar Square with a drum and fife band. Putting away that class of agitation, they did everything they legitimately could to oppose the Bill. Then the hon. Member for Glasgow said they held the Railway Bill at arm's length. Now, what did they do? The Railway Company said—"We want 15 or 16 of these ventilators; will you allow us to put them up by agreement?" The reply was—"Of course not; we do not want one!" The Railway Company thereupon took the matter before Captain Galton, who cut the number down by probably more than one-half. If he had allowed many more the Railway Company would have simply disfigured the whole of the land, and especially the neighbourhood of the House of Commons. If Captain Galton had only allowed the Company to place one just in front of that House, hon. Members passing in and out of the House would have been able to appreciate the nuisance created. The award of Captain Galton was given in February, and what had the Metropolitan District Railway Company been doing all the time? They knew what would happen when the ventilators were once seen, and Parliament became acquainted with what was going on; therefore, if they did not actually proceed with the construction of the ventilators before the award was given, they took great care to shoot them up before the House met. Immediately after the award was given they were at work night and day in getting the ventilators erected. They were of opinion that if they made it a *fait accompli*, Parliament would probably in that case not interfere. He hoped, however, that that fact would not prevent the House from giving the Instruction which he proposed to move. The ground of complaint against the District Railway Company was this. They said they had the interest of the travelling public at heart; that so many thousands of persons passed over the line every day; and that they wanted to make the air pure for them. His answer to that was—"You did not want to make it pure as long as it would cost you a penny; but you will do it for nothing if you can." He had absolute proof in support of that assertion. The Railway Company obtained power to take certain private lands belonging to private individuals. Mr. Hubbard, junior, was the owner of a house near Eaton Square, which was occupied for the purposes of the Shoe Black Brigade, and was used in housing a number of boys. That gentleman received notice from the Railway Company, under the Act of 1881, that the House would be required for the purposes of these ventilators. When the notice was received Mr. Hubbard looked about for a new house for the Shoeblack Brigade, and, having obtained one, he vacated the premises the Railway Company required. He had since had the empty house upon his hands. He applied to the General Manager of the Railway Company to know when they were going to take it off his hands, and they requested him to see their solicitor. He went to the solicitor, and he was then told that the solicitor could give him no information, but he must go to the General Manager, and the Railway Company were now applying for an extension of time for taking the land. Then, again, the tunnel close to the City of London School simply wanted a hole digging into it in order to provide a means of ventilation; but the tunnel would have to be paid for, and consequently the work was not done, and the Company had applied for extra time in regard to it as well. There were other instances in which land applicable to the purposes of ventilation was passed over, because the Company would not spend a farthing on land if they could help it, or if they could get it at the public expense. There was a more remarkable fact still. He had told the House that he would give them a precedent from a Private Bill, and that precedent was a Bill passed at the instigation of this very Company. In the year 1879 the Company got power under the 13th section of their Bill to make ventilators, and they also got power to make a new street, running from Trinity Square and Tower Hill to the King William Statue, at the foot of London Bridge. They were to make a railway under the street, and the Metropolitan Board of Works were to contribute a sum towards the making of the street. The Railway Company met the Metropolitan Board, and asked them—"How much are you going to give for the new street?" The Metropolitan Board said—"We will not give you anything if you are going to have ventilators in the new street, and therefore we will make a condition. We are quite willing to give £500,000—half-a-million of money—for the new street; but we will not have ventilators in it, under the 13th section of the Bill." The Railway Company agreed to take the £500,000. They came to the House of Commons, and last year an Act was passed, the 8th section of which said—

> "Notwithstanding anything in the Act of 1879, or in other Acts, relating to the Railway Company, no opening or shaft for ventilation shall be made in any part of the new street, except with the consent in writing of the Board or of the Commissioners of Sewers."

Therefore, the position of the matter was this. In the year 1879, having taken power to make ventilators and blow-holes in the streets, and requiring money from the Metropolitan Board to make a new street, they took the money and brought in a Bill repealing the Act of 1879. Now, if the new street was not to be defaced, why should the old ones be defaced? He did not know what were the artistic tastes of the hon. Member for Glasgow (Mr. Anderson); but he would take these ventilators singly. Take, for instance, the one in Victoria Street, near the Station. It was a perfect nuisance. There was another close to the Westminster Palace Hotel in Tothill Street. It was an intolerable nuisance to the coffee-room of the hotel, but not one farthing in the shape of compensation could be claimed for it. Why was this? At the very place it was constructed the Railway Company had land of their own, which they sold to the proprietors of the Aquarium for a very large sum, and then they utilized a public street for their own purposes. The Broad Sanctuary promised to be one of the handsomest sites in London when the fine proportions of Westminster Hall were exposed, and it had just been ornamented by the addition of the statue of the Earl of Beaconsfield. Others might follow, and yet one of these suggestive structures had been put up there to destroy the appearance of the whole. The ventilator on the Embankment was, to his mind, the least nuisance of all, because the roadway was wide, and there was plenty of room; but the ventilator was only 200 feet from a Station, and at this moment the Railway Company were covering over the Station at Westminster Bridge, and were appropriating a larger area for building purposes than was required for the ventilators. The working classes of the Metropolis largely used the Embankment; and he thought the air they got in the Gardens was of more advantage to them than travelling in the tunnel. The Gardens were crowded in the summer time, and he hoped the working classes would be trained to admire them and make use of them. But they could not pass through the Gardens now without perpetually seeing jets of smoke coming out of the ventilators, and if they had a nose their nose could not help being offended. But the worst structure of all was that in Queen Victoria Street. Queen Victoria Street was necessarily a narrow street, because the value of property in that part of London was enormous, and the expense of acquiring it so great that the authorities of the City could not make it wider than it was. Nevertheless, the Company had actually had two ventilators put up—one 40 feet long and 6 feet wide, and another 20 feet long by 12 feet wide. In point of fact, this Railway Company had entirely destroyed the whole street for traffic, and had obtained the use of it absolutely free of cost. His hon. Friend the Member for Glasgow asserted that the Instruction was proposed in a vindictive spirit. He did not think the hon. Member could have read the Instruction, because it said that the ventilators were to be removed on such terms as the Committee might think reasonable. It did not even say that the Railway Company were to reinstate the property themselves. The Metropolitan Board of Works and the City of London would be able to appear before the Committee, and the Committee might say a mistake had been made. He did not think the Railway Company should bear the cost of it; but the Metropolitan Board of Works and the City of London ought to pay for the reinstatement of this property into its original condition. Considering that this street improvement had cost more than £2,000,000, the City of London, he was satisfied, would be glad to pay all that was necessary to protect the property, upon which so much had been spent, from being completely destroyed. He trusted that this Instruction would be passed. It simply sought to give the Committee power to reconsider the matter, not vindictively or in the nature of imposing a fine, but in order to protect the Thames Embankment and this new street from being spoilt. He did not know whether hon. Members had read a speech delivered by the Chairman of the Railway Company (Mr. Forbes) the other day. Mr. Forbes, in that speech, seemed to regard the House of Commons as a piece of clay, and himself as the potter who was to mould it. Mr. Forbes was no respector of persons, and he took a fling at the right hon. Member for Westminster (Mr. W. H. Smith), whom he twitted with moving in the matter for the sake of his constituents. Now, he (Mr. Marriott) thought that a Member of Parliament owed as much to his constituents as the Chairman of a Railway Company did to his shareholders. Mr. Forbes had the unparalleled audacity to lecture no less a personage than the President of the Board of Trade. He (Mr. Marriott) was not himself a slavish follower of the President of the Board of Trade; but when the President of the Board of Trade applied to the Railway Company the word at which Mr. Forbes took so much objection, he could only say that if the right hon. Gentleman had looked the dictionary through he could not have found a more appropriate one, when he said that the conduct of the Railway Company was "outrageous." The conduct of the Railway Company, represented by Mr. Forbes, was an outrage upon the House of Commons, and in many respects an outrage upon common decency. He begged leave to move the Instruction which stood in his name.

Motion made, and Question proposed,

"That it be an Instruction to the Committee to which the said Bill is referred, that, provided the Standing Orders have either been complied with or dispensed with, they have power to insert in the said Bill a Clause making it compulsory upon the Metropolitan District Railway Company to pull down the ventilators, now erected or in course of erection in Tothill Street, Broad Sanctuary, Victoria Street, the Thames Embankment and Gardens, and in Queen Victoria Street, under the award of Captain Galton, and to reinstate the said streets and gardens, upon such terms as may seem reasonable to the Committee."—(*Mr. Marriott.*)

MR. ANDERSON, in rising to move the Amendment which stood in his name, said, he did not intend to trouble the House with another speech; but there were one or two points which he felt called upon to allude to. He understood the hon. Member for Gateshead (Mr. W. H. James) to state, in the first place, that much as had been said in favour of the ventilators they were of no use as ventilators, and yet in the very next breath the hon. Member stated that the smoke and steam which came from them very much annoyed the people in the Gardens outside. [An hon. MEMBER: Quite true.] But both assertions could not be true, because everything that went up the ventilators must tend to relieve the ventilation of the tunnel, and, therefore, the hon. Member had over-proved his case. It did not require a great engineer to show that there was no other means of ventilation except by creating currents, and artificial currents could not be created except by steam power. The question was, how were they to get that power? And if they were to depend upon artificial currents the result would be to compel the Company to establish air currents driven by steam power, and there must, consequently, be stationary steam-engines and high chimneys vomiting forth smoke, which would be considered a far greater nuisance to the public than anything they were proposed to remedy. The hon. and learned Member who spoke last said they were damaging the roadways and the Gardens above; but he (Mr. Anderson) contended that the Railway below, as a passage for the people, was of infinitely more value than the streets above. Thousands of persons travelled down below for each individual who travelled above. In point of fact, it was in the interest of the public, who used the Railway for travelling purposes, that he proposed this Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the ventilators on the Embankment having been sanctioned by the House after full investigation of the facts by one of its Committees, and in order to promote the health and comfort of the millions who are travelling by the Underground Railway, the House declines, on mere *ex parte* statements, to upset the previous decision by an Instruction that would appear vindictive, as given on a Bill not relating to the subject,"—(*Mr. Anderson,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. SHAW LEFEVRE said, that as this was a matter in which he took some interest, he hoped the House would permit him to say a few words in order to explain why it was he gave his support to the Instruction moved by the hon. and learned Member for Brighton (Mr. Marriott). It was quite true that two years ago the Railway Company obtained the power now complained of —with the consent of the public in a certain sense — to make these ventilators. It might, therefore, be said that the public had no right to complain; but he ventured to say that the public had not been aware of what was taking place. He himself occupied a position of some importance in relation to public improvements; but he was totally unaware of what was being done. He did not know of the decision of the Committee until it was given, because neither the Metropolitan Board of Works, nor the City of London, had applied to him for assistance. He very much regretted that the Metropolitan Board did not think it right to appeal to the House against the decision come to by the Committee. He had been under the impression that as the matter had been referred to an arbitrator, no arbitrator would be found who would exercise his discretion so unwisely as to permit the construction of these ventilators; and he believed if the hon. and gallant Member for Truro (Sir James M'Garel-Hogg) had appealed to the feeling of the House it would have been in his favour; and, so far as he (Mr. Shaw Lefevre) was personally concerned, he should certainly have endeavoured to use all the official influence he possessed for the purpose of supporting his hon. and gallant Friend on such an occasion, in inducing the House to undo the mistake which had been committed. It was not until the autumn of last year that he heard, for the first time, of what was intended. The Chairman of the Metropolitan Board of Works then applied to him for assistance; and he thought it his duty to go before the arbitrator and explain, in the strongest manner he could, the injury which he felt would be done to the public interest by the erection of ventilators. He asked the House to consider the difference between the relations of the Metropolitan Board of Works in regard to public Gardens—such as those upon the Embankment—and the relation of the First Commissioner of Works towards the Royal Parks. If such a thing had been proposed in reference to the Royal Parks, he, as First Commissioner of Works in respect of Crown property, would have had an absolute veto in the interests of the public against the encroachment of a Railway Company or any other person who endeavoured to invade the Royal Parks. No interest or property of the Crown in the Royal Parks could be taken away, even by an Act of Parliament, without the consent of the Crown, and no Committee of the House could overrule the Crown in this matter. As Representative of the Crown, therefore, his veto was absolute and conclusive. Without such a veto, the First Commissioner of Works would not be able to preserve the Royal Parks from the continual attempts which were made to invade the rights of the Crown. The Gardens upon the Thames Embankment were quite as important as the Royal Parks; but the Metropolitan Board of Works had no equivalent power of veto over the Embankment. There were nearly 4,000,000 of inhabitants in London; but if they came before a Select Committee their wishes were liable to be overruled by a body consisting of four Members of the House of Commons, who would probably have no special knowledge of the subject. Now, he ventured to say that that was not as it ought to be, and that far greater deference ought to be paid by Committees of the House to the opinions of those who represented the ratepayers of the Metropolis; and for this reason he thought that a grave mistake was made in 1881. He entirely concurred in all that had been said by the hon. and learned Member for Brighton (Mr. Marriott), that great injury had been done by the erection of these ventilators to the Thames Embankment Gardens, to Parliament Square, Queen Victoria Street, and other places; and he believed it would be wise to refer the matter again to another Committee of the House. He sincerely hoped that a new Committee would overrule the decision come to by the Committee of 1881. In taking this course, no hardship was contemplated to be done to the Railway Company. After all, the Railway Company only did what was within their right; and if a mistake had been made, the Committee would take it into their consideration, and provide that due and ample compensation should be given to the Railway Company in respect to any expense to which they might be put by the action of Parliament. At the same time, he believed that a grave mistake had been made, and he ventured to hope that it was not too late to rectify it.

Mr. A. J. BALFOUR said, there was one point in the speech which had just been delivered which was open to comment—namely, that the case, as made out by the right hon. Gentleman the Chief Commissioner of Works, contained no argument to justify the conclusion arrived at. He wished to point out the extraordinary position which the First Commissioner of Works appeared to occupy. The right hon. Gentleman told them that although, in his official capacity, he had taken the greatest interest in the Embankment, that interest was not sufficient to enable him to know what was being done in the House of Commons. Surely in his official capacity the right hon. Gentleman ought to have made himself informed as to the proceedings of the Select Committee, and if he objected to the decision they arrived at, he ought to have opposed it. The right hon. Gentleman said that if the Metropolitan Board of Works had resisted the decision of the Committee he would have supported them. But why should not the right hon. Gentleman have taken the initiative, especially when he admitted that he was officially connected with the matter?

Mr. SHAW LEFEVRE said, he had not stated that he was officially concerned in the matter?

Mr. A. J. BALFOUR asked if he was to understand that the speech of the right hon. Gentleman was made purely in a private capacity? If so, the whole speech was altogether inappropriate. What could the right hon. Gentleman mean about having a veto in regard to the public Parks? Turning from the speech of the right hon. Gentleman to the speech of the hon. and learned Member opposite (Mr. Marriott), the hon. and learned Member began by saying that he had considerable respect for the Committee which arrived at the decision he wished to overthrow. He was glad his hon. and learned Friend had respect for the Committee, because they never could have guessed it from his speech. His hon. and learned Friend was not content with differing from the decision of the Committee, but he actually brought an accusation against it of a kind that had never been brought against a Private Bill Committee of the House. He deliberately accused the Committee which sat on this matter of having been afraid to deal with the property of a wealthy Corporation and of wealthy individuals, and of having turned their attention to the property of the public only. His hon. and learned Friend said that the Committee were afraid to touch the Temple Gardens, or the property of the Duke of Buccleuch, and therefore they contented themselves with appropriating the public property.

Mr. MARRIOTT: I did not say it in that way. I said, as a matter of fact, they did not.

Mr. A. J. BALFOUR said, he thought the criticisms he had made were amply justified by the facts of the case. Perhaps the House would now allow him to explain the history of this Bill. The Temple Gardens were not touched simply for this reason. The Metropolitan District Railway Company had promised, when their line was originally made, to respect the property of the Benchers of the Temple, and it was on that condition that the Benchers of the Temple withdrew their resistance to the original Bill of the Company. He was speaking from recollection, but he thought he was right. As to the Duke of Beccleuch, the question of interfering with his property never came before the Committee at all. There was no proposal to do it; and his hon. and learned Friend knew enough of the conduct of Private Bill Business to be aware that it was not for the Committee to suggest that the private property of A or B should be taken, when no such suggestion was made by the parties who appeared before them. He would pass now to the general merits of the question, upon which he intended to be very brief. He knew no spectacle which, on the whole, was less edifying than that of the British public in one of its artistic moods. They would allow the most monstrous things to be done by their Representatives and by private individuals, and never say a word. But somebody read an article in a newspaper, an agitation immediately sprang up, and the inhabitants of the Metropolis suddenly discovered that they were more sensitive in regard to the beauties of Art than any other people in the Kingdom; and, on behalf of the British public, it was felt to be the duty of such Bodies as the City of London and the Metropolitan Board of Works to take up a prominent position in such matters. It certainly amused him to hear the Representatives of the City say that their delicate susceptibilities were offended by these ventilators, when he recollected that they had only recently pulled down that magnificent work of Sir Christopher Wren at Temple Bar, which, at this moment, was put by in some back-yard, and had stuck up in its place a most extraordinary abomination. Nor did he think that the Metropolitan Board of Works were much better. He recollected perfectly well that it was only by a threat of determined resistance on the part of that House, that the Metropolitan Board of Works, with his hon. and gallant Friend the Member for Truro (Sir James M'Garel-Hogg) at their head, did not destroy the Portico of that magnificent Church of Saint Martin-in-the-Fields, at Trafalgar Square. When he looked at those astonishing houses of portentious vulgarity which they had allowed to be constructed on their land at Northumberland Avenue and elsewhere, he really was amazed at the face with which the Metropolitan Board came down to the House and expressed their horror of the unoffending brick erections which had been placed upon the Embankment for the ventilation of the Railway Tunnel. He would tell his hon. and learned Friend what it was that destroyed the beauty of the Thames Embankment, and, he was afraid, would ever destroy it. The Embankment was for ever destroyed beyond redemption by that enormous erection, the Charing Cross Railway Station, and the hideous Girder Bridge which connected it with the other side of the river. Had his hon. and learned Friend ever made the least effort to remedy that great blot as regarded the action of Parliament in that matter? He (Mr. Balfour) was influenced by no love of the Railway; but he confessed to having a certain aversion towards these two powerful Corporations—the Metropolitan Board of Works and the City of London. The interests, however, for which he pleaded at that moment were not the interests of the Railway, but the interests of the millions who travelled by it. One hon. Member in one sentence asserted that these ventilators did no good, and in the next he stated that the fumes which were emitted from it were most offensive to the people who used the Gardens upon the Embankment. He failed to see how the hon. Member for Gateshead (Mr. W. H. James) could reconcile these two statements. Certainly what came out, if there had been no ventilators, must have remained in. All the sulphurous fumes now emitted by the engines on that Railway must come out some time or other. They did not congeal in the tunnel, but they came out and polluted the air some time or other. The only difference was, whether they were to be let out before they suffocated the 30,000,000 of people who used the Railway? Had hon. Members reflected what it was to say that 30,000,000 people travelled annually by a Railway? It meant, roughly speaking, that nearly 100,000 persons a-day travelled by it; that more than twice as many individuals travelled by that Railway per day as all the people, man, woman, and child, of the borough of Northampton, in whose interests they were so anxious to legislate. The House was asked to legislate now for the people who drove about the Embankment in their carriages, and the roughs who lounged about it at night. He did not mean to say that they had not got interests which ought to be protected; but he did say that the interests of the public, those interests, which were increasing every day as the suburbs increased, and as the means of connection between London and the outlying districts were getting more and more gorged, required their first care and consideration. It was, therefore, in the interests of the public at large that he hoped the House would refuse this Instruction to the Committee, which was not only infringing the well-established practice of Parliament, but doing something that would materially injure the very large and important body of people living in the Metropolis. He therefore hoped that the House would agree to the Amendment.

Mr. FIRTH said, the real difficulty he had in arriving at a conclusion upon this question was that which had been alluded to by the hon. Gentleman who had just sat down, and which had been commented upon also by the hon. and learned Member for Brighton (Mr. Marriott), as to the impropriety of interfering with the authority of their Select Committees or of reversing their action. He might have some difficulty in supporting the Instruction if the action of the new Committee were likely to entail additional cost upon the Railway Company; but he understood, from the observations of his right hon. Friend the First Commissioner of Works, that that difficulty would not exist. If it did not exist, then as to the merits of the case he had no manner of doubt whatever. It was true that he occupied the position of one of those for whom so much sympathy had been expressed. He was one of the 30,000,000 who, day by day, travelled by this Railway; and he had certainly tried, during the last few weeks, with some anxiety to ascertain the effect their ventilators was producing, and whether the air was now much purer or better. But he confessed that he had not noticed very much change. He did not think that the air was very much purer; and, therefore, as a matter of fact, these ventilators, as they were called, had not been a success, and the arguments which were based on the interests of the millions who travelled underneath might be dismissed from the consideration of the House, because the millions who travelled underneath were not of opinion that the ventilators were doing much good. As to the construction of the ventilators, a great deal had been said before the Committee; but he believed that the Railway Company adopted them, because they were cheapest, in preference to other methods of ventilation which would have rendered the air perfectly pure. In the Mont Cenis Tunnel the air was kept perfectly pure, and air-engines had proved an entire success in the State of New York, and in other parts of the world. Any person who was acquainted with the first elements of the science of ventilation knew that an engineer could easily have constructed channels from the tunnel itself, and carried them up alongside the houses by means of air currents, by means of which a draught would have been produced which did not now exist. Again, and beyond all that, anyone familiar with the ventilation of collieries must know that there were many methods by which, if the Railway Company had chosen to incur the expense, and to show that they had the interests and health of the public at heart, they might have provided ventilation and kept the tunnels perfectly clear. The Railway Company were not entitled, upon any ground, to the sympathy of the House of Commons, and certainly not in the matter of these ventilators. When leave was obtained to construct this Railway, and £200,000 was paid in respect of it, what was that money paid for? It was paid for the purpose of constructing a Railway in accordance with certain plans deposited with the Metropolitan Board of Works. In those days the Railway Company were perfectly willing to place themselves, and they did so, at the feet of the Metropolitan Board as suppliants for the purpose of obtaining their consent to the construction of the Railway. If they had then suggested that they intended to construct these ventilators they knew perfectly well that they would never have obtained the consent of the Metropolitan Board. Therefore, no suggestion of the kind was then made. In regard to the question of ventilation itself, the Company had at that time the example of other Railways to guide them. The Metropolitan Railway had already been constructed, and the foulness of the atmosphere upon that line was notorious. The Metropolitan District Company, therefore, ought to have taken precautions to secure that proper ventilation upon their system was provided. He had only one other point, and it related to the Committee. It appeared that two of the so-called representative City authorities—namely, the City of London and the Metropolitan Board of Works, with all the panoply of counsel, did appear before the Committee. How it was that in a matter so simple as this the Committee came to the conclusion they did he was not prepared to say. He certainly should not join in any reflection upon them; but he thought there could not be a more remarkable argument in favour of the proposition which he hoped might be made some time for the simplification of the government of London than the fact that four hon. Gentlemen, the Members for South Derbyshire (Mr. Evans), Hertford (Mr. A. J. Balfour), West Suffolk (Mr. Biddell), and one of the Members for Cornwall, had decided upon the question whether the open spaces in London should or should not be interfered with. He should have thought it was desirable that such a matter should have been decided by the House, and perhaps much blame rested upon the Metropolitan Members for not reading carefully the clauses of every Metropolitan Bill that might be introduced in Parliament. Speaking as one of the 30,000,000 who travelled upon this Railway every day, he had come to the conclusion that the ventilators, on their own merits, were not a success; and he trusted the House would support the proposition of his hon. and learned Friend the Member for Brighton (Mr. Marriott).

MR. W. H. SMITH wished to say a few words upon the question, and to express a hope that the House would consent to give the Instruction moved for by the hon. and learned Member for Brighton (Mr. Marriott). His hon. Friend the Member for Hertford (Mr. A. J. Balfour), who had made a most interesting and amusing speech, as he always did when he addressed the House, had disappointed him. There was no desire on the part of those who objected to these ventilators to overrule the determination of the Committee of 1881. All they asked, on behalf of the Metropolis, was that power should be given to the new Committee appointed to consider the present Bill to rehear and retry the case. Hon. Members who hesitated to vote for this Instruction should realize what it was. It was an Instruction to the Committee that they should have power to consider the case that would be put before them by the Representatives of the Metropolis on the one hand, with full power to the Railway Company to make their case good on the other hand. There could be no reflection upon the Committee of 1881 in the Metropolis desiring a rehearing of the case at its own cost. Let it be understood that the Metropolis did not ask or suggest that the Railway Company should be put to the cost of reinstating the Gardens or roadways in their former position, or that they should suffer loss; but simply that the case should be retried, so that if it was found by the Committee before whom the whole case was to be brought that wrong had been done and that a mistake had been made, the only result would be that the costs which the Railway Company had incurred would be repaid to them, and the position of affairs would be precisely what it was before these structures were put up. He did not think it was unfair or unreasonable that the interests of the many thousand persons who used the Embankment, and who regarded it, as they regarded the Royal Parks, in the light of a breathing place, and as a necessity for the inhabitants of this great Metropolis—he did not think it was unreasonable that the interests of those people should be duly regarded by the House of Commons and the Committee, and that the whole matter should be fairly dealt with. He, for one, should regret very much if, from any feeling of sensibility or annoyance, the House should reverse the decision already arrived at improperly; but he thought the matter might be reconsidered and retried with fairness to all parties. He had said that he would not occupy the attention of the House at any length, and he would, therefore, not go into a question which had been raised as to why the Railway Company could not have ventilated the line in any other way; but he could not help remarking that some inconvenience had arisen from the decision at which the Committee had arrived. The Committee did not sanction these particular works, but said there should be ventilation, and if the Metropolitan Board of Works and the Railway Company could have arrived at an agreement, well and good; but, if not, then they left it to some third person to decide what the ventilation should be. He thought that a most inconvenient course, and probably it was one which had brought about the present agitation. If the Committee had sanctioned deliberate plans, which he thought they might have done, the House would then have understood exactly where they were, and there probably would not have been an appeal to the House to reconsider the matter. He hoped the House would consent to the Instruction which had been moved by the hon. and learned Member for Brighton (Mr. Marriott).

Mr. J. G. HUBBARD said, the House was not called upon to decide between the merits of the contending parties upon this question. They were not asked to take part either with the Metropolitan District Railway Company or the Metropolitan Board of Works or the First Commissioner of Works, but to consider simply the best way of removing the enormous nuisance which had grown up so swiftly and stealthily. All they had to do now was to consider the best means of getting rid of it, because it was perfectly impossible to leave the matter as it stood. Taking the direct roadway between that House and the City, it was no exaggeration to say that the value of the space in Queen Victoria Street was equal to what it would be if paved with gold, and yet that street had been taken up, and a large amount of space had been appropriated by the Railway Company for the erection of these horrible abominations. It was at all times inconvenient to pass through that narrow street, down which there was scarcely room for more than one carriage to pass. It was hardly possible to pass through Queen Victoria Street without finding an obstruction where the ventilators were so placed as to leave scarcely room for two carriages. Carriages habitually did not run close to the side of the street; and now that the width of the street was reduced by the Railway Company's inclosure or chimney, it was impossible for one carriage to pass another in the same direction. Then in regard to the inclosures on the Embankment, he could conceive nothing more idiotic than the way in which these ventilators had been flanked with massive projections of granite which effectively and gratuitously took away something like two feet from the already diminished width of the street. He was of opinion that, at whatever cost, and upon whatever terms they could arrange, it was necessary that these abominations should be removed.

Mr. WIGGIN said, he rose, not on behalf of the Railway Company, in whom he had not the slightest interest, but to say a word on behalf of the hundreds of thousands of people who travelled daily on this Railway. He would appeal to hon. Members in that House who were in the habit of travelling by the line, and would ask them if the atmosphere they were compelled to breathe was one which conduced to their health or comfort, seeing that they were compelled to breathe an atmosphere charged with carbonic acid gas and sulphurous fumes? He thought the House ought to do all they could to enable the Railway Company to clear the tunnel of these obnoxious and unhealthy gases. Whatever decision the House might arrive at, he hoped they would not reduce the number of ventilators, which he should prefer to see largely increased. He had nothing to say against the Company paying for them; but it was on behalf of the travellers who used the line that he asked the House not to send this question back again to a Committee. He thought they ought to stand by the decision of a Committee of the House who had done their duty well and faithfully. It would be unfair to treat any Committee in the way in which it was proposed to treat this Committee. He trusted that the House would support the Amendment which had been moved by his hon. Friend the Member for Glasgow (Mr. Anderson).

Mr. BIDDELL said, he had been a Member of the original Committee, and he wished to say a word in their defence. He altogether disagreed with many of the remarks which had been made. He did not think that this was a question which would best be considered by Metropolitan Members, who might be influenced by the separate and distinct interests of their constituents. Hon. Members who lived at a distance were quite as capable of judging of the merits of a Private Bill. The Committee had before them the Representatives of the City, and they heard them most patiently, and he must say the City authorities were entirely exonerated for not having done all they could to advance the supposed interests of the ratepayers; but the Committee found that there was a great want of ventilation upon the Railway, and that the Railway Company were bound to provide it. But they were not responsible, as the right hon. Member for Westminster (Mr. W. H. Smith) stated, for the position of the ventilators. All they had considered was the comfort of the many, and not that of the few; and, in coming to the conclusion they did, they were actuated by the feeling that what might be a private injury might be for the public advantage. He did not think the hon. and learned Member for Brighton (Mr. Marriott) could tell him of a single railway that was ever made that did not inflict some injury for which no one was entitled to compensation. If these ventilators had been placed on public ground, rather than on private ground, it was Captain Galton who decided the matter. He would say, further, that the injury to the Embankment Gardens had been immensely magnified. He went over them very frequently from Charing Cross; and since the question had been agitated he had purposely watched the action of the ventilators, and he was able to say that they were by no means as injurious as they had been represented. The hon. and learned Member for Brighton said the Metropolitan Board of Works had done all they could to stop the construction of the ventilators, except by calling a meeting in the public Parks; but if they had called a meeting in the public Parks the people who attended it would have been with the Railway Company, because it was for their advantage that the ventilators were erected. As to the argument of the hon Member for Gateshead (Mr. W. H. James), that the ventilators did no good, how was it that so much vapour, as represented, came from them? He thought the House were not taking a dignified course in practically asking the Company to remove these ventilators, or the House would not grant them powers in a totally unconnected matter. If the ventilators were wrong, let there be some separate action on the part of Parliament in regard to them. It was not denied that this Railway was properly managed in other respects, unconnected with the question of ventilation. If there was to be an Instruction given to the Committee, the proper Instruction would be that they should inquire into the operation of the ventilation, and report upon it. That would be all very well; but the hon. and learned Member for Brighton asked that the Committee should have power to order their removal, and not to inquire fairly and impartially into their operation, and report to the House. He trusted that hon. Members would take an opportunity of looking at the ventilators for themselves, and would not accept, without investigation, the exaggerated complaints they had heard. He had himself stood by them, and had seen train after train pass by with hardly any smoke or vapour appearing from it. He desired that every Member should judge for himself, and he trusted that they would take an opportunity of doing so before anything was done. He certainly thought if that was done they would come to the same conclusion he had, that if there was anything disagreeable about the ventilators, as he did not deny there was at times, it was more than counter-balanced by the immense advantage they were to the people who used the Railway. He hoped the hon. and learned Member for Brighton would modify the Amendment to this effect—"That it be an Instruction to the Committee to investigate and report to the House upon the action of the ventilators." That would be a very different thing from empowering the Committee to order their removal.

Mr. STORY-MASKELYNE said, he ventured, even at that late hour, and even when the House was probably weary of the discussion, to ask for its attention for one moment. There had been a complaint against one or two of the speakers that, on the one hand, they had declared that the ventilators were of no use; while, on the other hand, they contended that the foul air emitted from them spoilt the atmosphere of the Embankment Gardens. Now, the fact was that the ventilators did emit these horrible fumes, and spoil the atmosphere in the Gardens; and, at the same time, he would observe that experience had proved the ventilators themselves to be absolutely useless, and that they did not ventilate the Railway. He was speaking in the presence of engineers, and he nevertheless ventured to say that the very idea of ventilating this Railway in the manner now adopted was absurd. The only way in which to ventilate the Railway was by the erection of long shafts to draw away the foul air and bring in the fresh air necessary to replace it. That was the only scientific principle. The proper way of doing this was not merely to open a hole in the top of the tunnel, and then to expect that the foul air would go out; but to erect a shaft somewhat conveniently situated for the purpose, and to make an opening into the tunnel half-way between two Stations, and by means of a tube to connect this ventilator in the Railway with that shaft, and then to draw out the foul air by means of agencies similar to those employed in mines. Fresh air would then flow in at the terminal openings and the foul gases be delivered into the upper air above the shaft. That would have been a complete solution of the difficulty, and the House would not have been placed in what he was bound to say was the somewhat undignified position it occupied at the present moment. ["Divide!"] It was very rarely he addressed the House, and he hoped he might be allowed to say a few words without interruption. There was only one other point he wished to comment upon. When the Underground Railway was first constructed, they were told that the Railway Company intended to introduce a new principle in locomotives, and that there would be locomotives which would consume their own smoke, and condense their own steam, without pouring out into the air carbonic and sulphurous acid gases, and even the more deleterious carbonic oxide. They promised to relieve the travelling public from the unpleasantness they would otherwise suffer in consequence of inhaling these obnoxious gases. But what had been the result? For some time the Metropolitan Railway was kept comparatively clear of these foul gases, with hardly any extraneous means of ventilation being provided. The Metropolitan Line was originally much less disagreeable to passengers than it was now with all its ventilators. The reason was obvious. The Railway Company would no longer take the trouble or incur the cost of providing engines that would do the work without being a nuisance; and the more holes of this kind the Legislature allowed them to make, the more would they ask to convert their underground tunnels into open cuttings, and the worse would be the result, and the fouler the air above them. He thought they ought to be compelled to return to their original condition, which was the condition upon which Parliament gave permission for the construction of the Railway. They might now do this by the aid of other agencies than the steam locomotive; such as by the use of compound air or of electricity. The arguments which had been brought forward were sufficiently strong to induce him to vote, to compel the Railway Company, if it be possible, to go back to their original condition. He thought the supporters of the Motion of the hon. and learned Member for Brighton (Mr. Marriott) could show that they had common sense on their side, and that the Instruction itself ought to meet with the full approval of the House.

Sir GEORGE ELLIOT said, he did not like to remain silent upon a subject on which he had a right to speak. He thought the means provided by the Railway Company for ventilating this tunnel and Railway were not adequate. All that was necessary was a simple operation—namely, the erection of long chimneys in spots little frequented by the public. The opening of ventilators of this kind, to disperse the filthy and foul atmosphere generated by the locomotives employed in working the traffic of the tunnel, was altogether insufficient for the purpose; and he remembered very well pointing that out to the engineer of the Company, who told him what he was going to do. He (Sir George Elliot) stated at the time that the ventilators would be a failure; and that instead of having these very low chimneys, or blow-holes, they ought to take off a piece of land laterally from the Railway and erect a high chimney in a place where it would not be an eyesore. There would then be a ventilating power resulting from the differences of level between the Railway and the tops of the chimneys or tubes, as in the case of the shot-towers on the other side of the River. Assistance might also be procured from the action of furnaces.

Question put.

The House *divided*: Ayes 200; Noes 110: Majority 90.—(Div. List, No. 70.)

Main Question put, and *agreed to*.

*Ordered*, That it be an Instruction to the Committee to which the said Bill is referred, that, provided the Standing Orders have either been complied with or dispensed with, they have power to insert in the said Bill a Clause making it compulsory upon the Metropolitan District Railway Company to pull down the ventilators now erected or in course of erection in Tothill Street, Broad Sanctuary, Victoria Street, the Thames Embankment and Gardens, and in Queen Victoria Street, under the award of Captain Galton, and to reinstate the said streets and gardens, upon such terms as may seem reasonable to the Committee.

*Ordered*, That leave be given to the Metropolitan Board of Works and the Commissioners of Sewers of the City of London to appear, by their Counsel, Agents, and Witnesses, before the Committee on the Bill in support of any Petition which may be presented by them respectively on the subject, notwithstanding that such Petition has been presented after the period limited by the Standing Orders for the presentation of Petitions against Private Bills.

Lord ALGERNON PERCY asked whether he would be in Order in now making a Motion which stood in his name upon the same subject?

Mr. SPEAKER said, that if the noble Lord desired to address the House on the matter, he would be in Order in doing so.

Lord ALGERNON PERCY then rose to move—

"That it be an Instruction to the Committee on the Bill to inquire what powers, if any, the Metropolitan District Railway Company now possess enabling them to cover in or build over the open cuttings on their Railways; and, if the Company has such powers, that the Committee have power, upon the Standing Orders being complied with or dispensed with, to amend or repeal the section or sections of the Act or Acts giving such powers with such provisos and upon such terms as may seem reasonable to the Committee."

The noble Lord said, that after the lengthened debate which had already taken place, he would not think of detaining the House at any length; but he felt it his duty to move this Instruction, because it dealt with another portion of the question of this Railway different from that which had been referred to in the previous debate. In the case tried before Mr. Justice Fry, the Railway claimed to have the power to which his Instruction applied. He had no desire to discuss the legal powers of the Company at the present moment, because if the power was possessed by the Railway Company, it could not be injured by an inquiry being made into it; and if it were not possessed, it would probably be unnecessary to legislate upon the subject. But, assuming that the Railway Company had the power, it was necessary that it should be exercised under some proper control, because the only plea the Company could put forward for taking the public property, for the purpose of ventilating their line, was that they could not ventilate it by any other means, in consequence of its being so much in tunnel; and yet at the moment they were appropriating the public property, they were covering over open spaces of their own property within 200 yards of the ventilator on the Embankment, and close to that hideous erection, the ventilator in Parliament Square. It was said that these matters had nothing to do with the present Bill. That appeared to be a reason why a special Instruction should be given to the Committee, and it was not unreasonable to ask Parliament to consider under what conditions the fresh powers asked for by the Company should be granted to them. He was sure that he was only expressing the opinion of a very large number of the inhabitants of the Metropolis when he said that at the present moment, and under the present condition of affairs, the interests of the public were being sacrificed to the interests of the shareholders of the Railway Company. He begged to move the Motion which stood in his name.

Motion *agreed to.*

*Ordered,* That it be an Instruction to the Committee on the Bill to inquire what powers, if any, the Metropolitan District Railway Company now possess enabling them to cover in or build over the open cuttings on their Railways; and, if the Company has such powers, that the Committee have power, upon the Standing Orders being complied with or dispensed with, to amend or repeal the section or sections of the Act or Acts giving such powers with such provisos and upon such terms as may seem reasonable to the Committee.

*Ordered,* That leave be given to the Metropolitan Board of Works and the Commissioners of Sewers of the City of London to appear, by their Counsel, Agents, and Witnesses, before the Committee on the Bill in support of any Petition which may be presented by them respectively on the subject, notwithstanding that such Petition has been presented after the period limited by the Standing Orders for the presentation of Petitions against Private Bills. —(*Lord Algernon Percy.*)

---

## STANDING COMMITTEE ON LAW, AND COURTS OF JUSTICE, AND LEGAL PROCEDURE.

*Ordered,* That the Standing Committee on Law, and Courts of Justice, and Legal Procedure have leave to print and circulate with the Votes any Amended Clauses of the Court of Criminal Appeal Bill, and the Criminal Code (Indictable Offences Procedure) Bill, from time to time.—(*Mr. Sclater Booth.*)

# *QUESTIONS.*

## GREENWICH HOSPITAL—THE PICTURES.

General BURNABY asked the Secretary to the Admiralty, Where is the picture (which was in Greenwich Hospital in 1864) of "The celebrated victory obtained by the British Fleet, under command of Earl Howe, over the French Fleet, on the glorious 1st of June 1794," and which is distinguished from any other picture by representing the death of Lieutenant Neville, of the "2nd Queen's Royals," then serving as Marines on the Fleet?

Sir THOMAS BRASSEY: Careful inquiry has been made, and no record has been found of the picture to which the hon. and gallant Member refers having at any time formed part of the Collection at Greenwich Hospital.

General BURNABY said, he should call attention to the subject on a future day.

## PUBLIC HEALTH (IRELAND)—TYPHUS FEVER IN DUBLIN.

Mr. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to a letter in the "Evening Mail" of the 12th instant, from which it appears that a larger number of persons caught typhus fever, in consequence of the outbreak in Jones's Court, Dublin, than was at first supposed; whether he will inquire into the truth of the allegation that the two ladies, proprietors of the place, caught the infection from going there, and died, and that their sister, who brought some of their belongings to her own home, also took it and died; and, whether he will cause a full inquiry to be made into the circumstances by a Local Government Inspector?

Mr. TREVELYAN: I have seen the letter referred to. I had previously been aware of the allegation that the ladies who were proprietors of the tenements where the fever broke out, caught the disease by going there and died of it. But it was reported to me, upon the authority of the doctor who attended them in their last illness, that they died of pulmonary complaints. However, as the allegation is repeated, it and the several other statements in the letter to which the hon. Member has drawn attention are being further inquired into by a Medical Inspector of the Local Government Board. If the result is to show any ground to alter the opinion arrived at after the former inquiry—namely, that the disease was spread mainly by reason of concealment on the part of the families first affected, and not in consequence of the wake—I shall not hesitate to say so, and to state whether, in my opinion, there is ground for censuring any public official.

## CRIMINAL LUNATIC ASYLUM, DUNDRUM—POST MORTEM EXAMINATIONS.

Mr. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, If he can state how many post mortem examinations took place at the Criminal Lunatic Asylum, Dundrum, within the last year and half, by whom they were made, what was the charge for each, who received the fees, and from what source were they paid; whether, in the recent case of Mr. Daid, it was stated by the resident medical officer he was killed by a large nail; whether any other medical or surgical authority concurred in or differed from that opinion; and, whether the coroner threatened to lock up the jury for the night unless they gave a verdict in accordance with his wishes?

Mr. TREVELYAN: The total number of such examinations held during the period stated was 18. Of these the first 15 were conducted by the resident physician of the asylum, the fees—one guinea in each case—being received by him. Two were held by that officer in conjunction with the district dispensary doctor, the fees—three guineas in each case—being shared between them. In the most recent case which has occurred the examination was conducted by the dispensary doctor alone, who received a fee of two guineas. In all cases the fees were paid by the County Treasurer on the order of the Coroner. The opinion given by the resident physician as to the cause of M'Daid's death is correctly quoted. The visiting physician, who afterwards saw the body, expressed doubt that a nail was the actual weapon used. The Coroner was not dissatisfied with the verdict itself; but he at first declined to receive with it a rider which he thought illegal, but as to the reception of which he finally yielded to the wishes of the jury. Measures have been taken by the Government for holding *post-mortem* examinations by other members than by the resident officer.

## THE ROYAL IRISH CONSTABULARY.

Mr. O'SHEA asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether there is any truth in the rumour that it is intended to introduce considerable changes into the organisation of the higher ranks of the Royal Irish Constabulary; and, if so, whether, having regard to the effect on zeal and efficiency often created by uncertainty, he will take a very early opportunity of announcing the designs of the Irish Government in the matter?

Mr. TREVELYAN: A Bill on this subject is in course of preparation, and will be introduced with as little delay as possible.

## THE UNITED STATES AND MEXICO.

Mr. SLAGG asked the Under Secretary of State for Foreign Affairs, Whether the Government can give the House any information as to the Commercial Treaty which has recently been concluded between Mexico and the United States; whether that Treaty does not secure preferential treatment to American commerce; and, whether Her Majesty's Government intend to take any steps in the matter on behalf of the commercial interests of this Country?

Lord EDMOND FITZMAURICE: A Commercial Treaty has been recently signed between the United States and

Mexico; but the ratifications are not exchanged, and the consideration of the subject has been put off by the United States Senate till December. It is stated that under the terms of this Treaty differential treatment is accorded on principles of reciprocity to the subjects of the two States in question. The relations between this country and Mexico are being closely watched in connection specially with commercial interests; but I am not in a position at present to make any further statement.

## THE MAGISTRACY (IRELAND)—CASES OF MICHAEL SHEEHAN AND JOHN LINANE.

Mr. KENNY ask the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to the decision of Majors Evanson and Irwan, special R.M.'s, at Limerick, on April 13th, in the case of Messrs. Michael Sheehan and John Linane, charged with assaulting a man named M'Grath; if it is a fact that a sentence of two months' imprisonment, with hard labour, was passed upon Sheehan and Linane was discharged; if the only evidence against Mr. Sheehan was that of M'Grath, who swore that he was assaulted by the prisoners on the road between Clonlara and Limerick on the afternoon of March 31st; if it is a fact that evidence was produced to prove that M'Grath had no sign of violence upon his person as late as 9 p.m.; that he spent the night drinking in Limerick until 11 o'clock p.m. when he was refused further drink; and that he was found next morning at 6.30 a.m. asleep outside the door of a public house; if it is a fact that M'Grath is a notorious and incorrigible drunkard, and has been fined upwards of fifty times for drunken and disorderly conduct; if Mr. Sheehan has appealed against the sentence of Majors Evanson and Irwan; and, whether, if the facts be as stated, he will recommend to the Lord Lieutenant to order that no further proceedings be taken against Mr. Sheehan?

Mr. TREVELYAN: This case was heard and disposed of on the 13th of April, as stated in the Question; but as the magistrates' decision is now the subject of an appeal now pending in a Court of Justice, I must obviously decline to make any statement as to the facts or merits of the case.

*Lord Edmond Fitzmaurice*

## THE ROYAL IRISH CONSTABULARY—THE POLICE FORCE (ARMAGH).

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true that the county inspector, the sub-inspector, head constable, mounted constable, infantry constable, and acting constable, are all Protestants at the head quarter station, Scotch Street, Armagh; that the present county inspector, who is only in charge of the county for about six months, has during that time promoted five Protestants and only one Catholic, although the Catholic members of the force comprise about seventy per cent. of the county force; that the county inspector has within one month tranferred three Catholics out of Armagh, replacing them by two Protestants and one Catholic; that the entire Catholic force of the county is so dissatisfied with County Inspector Garrett as to be in a state bordering on insubordination or resignation; and, if an inquiry would be granted into the facts specified, and if the examination papers of the men promoted, and of the Catholic men rejected, could be submitted to an impartial tribunal?

Mr. TREVELYAN: It is the fact that the members of the Armagh force mentioned are Protestants; but the hon. Member's informant has apparently omitted to tell him that there are three Roman Catholic constables serving at the same station, which, of course, has an important bearing on the apparent proportions of the members of his religion. The present County Inspector took charge in October last, and in December he held an examination; and after careful inquiry and consultation with his officers, he placed upon his promotion list the names of 48 men, of whom 26 are Roman Catholics and 22 Protestants of different denominations. He placed them in what he believed to be their order of merit, and without for a moment considering their religious persuasions. Of these six were promoted last month, of whom five are Protestants and one a Roman Catholic. The Catholic proportion of the force is overstated in the Question. It is about 59 per cent, not 70. There are now 13 Catholics and 10 Protestants serving in the town of Armagh. During the last two months three Catholics have been transferred out of the town, and replaced by two Protestants and one Catholic. One of those transferred was an acting constable who, on promotion, was sent at his own request to an out station, where he could have accommodation for his family. All the transfers were made upon consideration of the claims of senior men, and with a view to accommodate them. I am happy to say that no part of the county force is in the condition described. I see no reason for directing a special inquiry into this matter, or for producing examination papers. I may state that the complaints of the men of the Royal Irish Constabulary with regard to the present system of promotion were carefully inquired into by the recent Committee; and the Government hope that the recommendations of that Committee will equalize and systematize the promotion in a manner which will be satisfactory to the Force.

### WESTERN ISLANDS OF THE PACIFIC —NEW GUINEA—PAPERS, &c.

Sir **HENRY HOLLAND** asked the Under Secretary of State for the Colonies, Whether he will lay upon the Table further Papers or Correspondence, if any, relating to New Guinea, in continuation of the Papers presented to Parliament in 1876?

Mr. **EVELYN ASHLEY**: Yes, Sir. As soon as they can be printed, I will lay on the Table of the House the Papers and Correspondence that we have at the Colonial Office in continuation of the Papers of 1876.

### AFRICA (SOUTH)—ZULULAND— REPORTED FIGHTING.

Mr. A. F. **EGERTON** asked the Under Secretary of State for the Colonies, Whether the Government have received any confirmation of the report that there has recently been severe fighting between the troops of Cetewayo and those of some of the Chiefs in the Reserved Territories?

Mr. **EVELYN ASHLEY**: The news we have received is to the effect that the Usutu party—that is to say, the young and violent section of Cetewayo's followers—made an attack upon Usibebu on his own territory, in the north-eastern corner of Zululand. Cetewayo professes that it was done without his knowledge; but I doubt very much whether this is the truth. The House may remember that when this Chief Usibebu was, for various cogent reasons, left in possession of the territory over which he had been the appointed Chief, it was understood that he was both able and willing to hold his own; and this turns out to be the case, because this attack of the Usutus has been most successfully repelled, and I hope that their defeat may be a lesson to them.

Lord **RANDOLPH CHURCHHILL** asked if the attention of the Under Secretary of State had been drawn to a telegram from a correspondent of *The Daily News*, who was usually well informed, to the effect that Usibebu had attacked Cetewayo?

Mr. **EVELYN ASHLEY**: I am glad that the noble Lord has given me the opportunity of saying that the correspondent in question is never well informed.

### SPAIN—HOMICIDE OF THOMAS MITCHELL, A BRITISH SUBJECT, AT MALAGA.

Mr. **HENDERSON** asked the Under Secretary of State for Foreign Affairs, What progress has been made with the subscription proposed to be raised, in May last year, on behalf of Mitchell, Engineer of the steamship "Tyrian," who was shot, by a Spanish sentry, at Malaga in December 1881; if he will state the amount contributed by the Spanish Government, in fulfilment of their promise; and, if he will lay the Correspondence on the subject upon the Table of the House?

Lord **EDMOND FITZMAURICE**: The Secretary of State has been in communication with Sir Robert Morier as to the best means of raising a fund for the relatives of the sufferer in this unfortunate case; and, after full consideration, he has come to the conclusion that it would be best that the proposed subscription should be started in this country, and I shall be glad to communicate privately with my hon. Friend on the subject. We do not, however, feel justified in incurring the expense of printing the Correspondence relating to this much-to-be-regretted incident.

### MADAGASCAR—CLAIMS OF FRANCE ON THE NORTH-WEST COAST.

Mr. **ASHMEAD-BARTLETT** asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government still adhere to the statements made by Lord Granville in his Despatch of October 7th 1882, to Lord Lyons, that—

> "Her Majesty's Government recognise the Queen of Madagascar absolute Monarch of the whole Island, and are unaware of any Treaty stipulations in virtue of which the French Government could properly claim territorial jurisdiction over any part of the mainland of Madagascar?"

**Lord EDMOND FITZMAURICE**: I must refer the hon. Gentleman to my previous answer to the same Question, which was put on his behalf on the 2nd instant. The position of Her Majesty's Government with regard to the French claims is fully shown in the Papers already presented to Parliament.

**Mr. ASHMEAD-BARTLETT** said, that he had repeated the Question because the noble Lord did not answer it before. As he could not obtain a simple statement from the noble Lord as to the views of Her Majesty's Government with regard to the Sovereignty of the Island, he should repeat the Question to the Prime Minister at an early date.

## AFRICA (THE CONGO)—FRENCH ANNEXATIONS.

**Mr. ASHMEAD-BARTLETT** asked the Under Secretary of State for Foreign Affairs, Whether he can give the House any information regarding the recent French annexations North of the Congo, and regarding the relations of Mr. Stanley and M. de Brazza?

**Lord EDMOND FITZMAURICE**: A report reached Her Majesty's Government some days ago that the French had occupied Amloango, Black Point, to the north of the Congo, and beyond the limits of the territory claimed by Portugal. The French Government, in answer to an inquiry addressed to them by Her Majesty's Ambassador at Paris, state that they have received no intelligence of the alleged occupation. Her Majesty's Government have no information respecting the relations of Mr. Stanley and M. de Brazza.

## THE IRISH LAND COMMISSION—FAIR RENTS—APPEALS.

**Mr. SEXTON** asked the First Lord of the Treasury, Whether he has had his attention drawn to the official records of the Proceedings of the Irish Land Commission under "The Land Law (Ireland) Act, 1881," with reference to "Appeals re Fair Rent, &c.;" whether he has observed that whereas the total number of Appeals lodged, up to the 31st ultimo, was 7,060, the total number heard was but 1,542, and the number withdrawn 1,013, leaving the number of Appeals not then in any way disposed of 4,505; whether he has observed that the number of Appeals not disposed of was, on the 24th Feb. 1882, 648; on the 15th April 1882, 1,181; on the 30th June 1882, 1,929; on the 31st July 1882, 2,002; on the 31st Aug. 1882, 2,626; on the 30th Sep. 1882, 2,733; on the 31st Oct. 1882, 3,281; on the 30th Nov. 1882, 3,757; on the 31st Dec. 1882, 3,843; on 31st January last 3,771; on the 28th of February last, 4,096; and, on the 31st ultimo, 4,505; and, in view of the continuous increase of arrear of business, under this head, and of the fact that the demand for judicial action is several times as great as the supply, the Government will take steps to remedy the incompetency of the Irish Land Commission Court to deal with this part of its functions?

**Mr. BRODRICK** wished, before the Prime Minister answered the Question, to ask him, Whether the appeals were not mainly due to the hasty and ill-considered decisions of the Sub-Commissioners; and whether he would undertake that no further pressure should be put upon the Sub-Commissioners to force them to decide a larger number of cases per diem?

**Mr. GLADSTONE**, in reply, said, that he was not aware of any pressure having been put upon the Sub-Commissioners to force them to increase the number of cases decided per diem; nor was he aware that the number of appeals in the vast number of cases before the Sub-Commissioners was any proof of their decisions being either hasty or ill-considered. He could give no opinion on those subjects, and it was his duty, in the absence of information, neither to affirm nor contradict the assertions of the hon. Member. With respect to the original Question, he had no fault to find with the statement of fact, which he believed to be correct. With regard to the closing part of the Question, whether—

> "In view of the continuous increase of arrear of business, under this head, and of the fact that the demand for judicial action is several times as great as the supply, the Government

> will take steps to remedy the incompetency of the Irish Land Commission Court to deal with this part of its functions?"

he was afraid that the Government had no power, as an Executive Government, to apply any remedy to what he felt to be a serious inconvenience. As at present advised, he did not know of any remedy that could be suggested except such remedy as would require legislation. The hon. Member was in as good a position as himself to form a probably correct estimate of the difficulties which lay in the way of fresh legislation, in addition to the questions already before the House. Therefore, although he could hold out no immediate prospect of legislation, he could assure the hon. Member that the subject was one which would demand the careful consideration of the Government.

### UNITED STATES—DYNAMITE CONSPIRACIES.

MR. BOURKE asked the First Lord of the Treasury, Whether Her Majesty's Government have made any communication to the American Government with respect to conspiracies formed in America against life and property in England; and, whether any communications were made in 1881, upon the subject, to the American Government; and, if so, whether the Papers can be produced? The right hon. Gentleman said he gave Notice of the Question for Thursday, and it was in that day's list by mistake. If the Prime Minister desired it, he would postpone the Question.

MR. GLADSTONE: No, Sir; I thank the right hon. Gentleman, but I do not think there is any reason to suppose that our position will be altered on Thursday; and I think I have only to refer to the answer which was recently given by my right hon. and learned Friend the Secretary of State for the Home Department, who stated that he did not think it would be for the public interest that, at this moment, we should make any communication or statement on the subject. I have only to repeat that answer.

### PARLIAMENT — BUSINESS OF THE HOUSE—THE TENANTS' COMPENSATION BILL AND THE LONDON CORPORATION BILL.

SIR ALEXANDER GORDON asked the First Lord of the Treasury, Whether, in view of the urgent necessity of legislation with respect to compensation to tenants for unexhausted improvements, Her Majesty's Government will give priority to the "Tenants' Compensation Bill" over the "London Corporation Bill" in arranging the business of the House?

MR. GLADSTONE: In reply to this Question, I am not prepared to treat it as a subject of precedence between the Tenants' Compensation Bill and the London Corporation Bill. I have nothing to say upon that subject at the present time; but what I have to say is that the introduction of the one measure is evidently a different and a much simpler matter than the introduction of the other measure, the Tenants' Compensation Bill not being, in all probability, a matter of great complexity or requiring any great fulness of detail upon the stage of introduction. Therefore, I do not think it will be necessary for us long to delay the introduction of the Bill of Compensation. Of course, that does not imply giving it the first place on the Orders of the Day.

### PARLIAMENTARY OATHS ACT (1866) AMENDMENT BILL.

MR. SCHREIBER wished to put a Question to the Prime Minister of which he had given him private Notice. Having referred to *Hansard* for an authentic report of the words used by the noble Marquess the Secretary of State for War in reference to the comparative unimportance of the Parliamentary Oaths Act (1866) Amendment Bill, he should wish to ask the Prime Minister whether he was still in the position to disclaim, on the part of the noble Marquess, the statement which he had attributed to him the other day? The words of the noble Marquess to which he desired especially to call attention were as follows:—

> "It is always a matter of discretion with the Government what measures ought to be named in the Speech from the Throne. It is not usual to include measures which are not considered to be of general or great importance; and this Bill is certainly one which we do not consider to be of great importance, or worthy to find a place among the measures usually enumerated in the Queen's Speech."—(3 *Hansard*, [276] 120.)

He wished to ask the right hon. Gentleman whether, now that those words had been brought to his notice, he adhered to his declaration of the previous day?

Mr. GLADSTONE: The hon. Member has given me what he terms private Notice of this Question, and I must say that in this case the term private Notice seems to require some authentic exposition. On my entrance into this House this evening the doorkeeper placed in my hand the Notice to which the hon. Member refers, and since then I have not seen my noble Friend, who is not in the House, and the matter remains exactly in the same position as it was when the hon. Gentleman addressed me before and without Notice. That is to say, I am required at this time to say what were the words used by the noble Marquess in a speech which he made in this House while I was out of it. In these circumstances, I would venture to refer the hon. Member to my noble Friend himself; or, if he would prefer it, I will communicate with my noble Friend.

Mr. SCHREIBER wished to state that, in the note he had sent to the right hon. Gentleman, giving him Notice of the Question, he furnished a report of the words he had quoted.

## *MOTION.*

---

### STEAMSHIP "LEON XIII."

#### RESOLUTION.

Dr. CAMERON, in rising to call attention to the case of the "Leon XIII.;" and to move a Resolution, said, this case was one of very considerable international importance. The *Leon XIII.* was one of a Spanish line of steamers trading between Liverpool and the Philippine Islands. She carried as engineers John Wardrop, of Glasgow; John Hodgson, of Birkenhead; and James Baker, of Southampton. They were men of character and reputation, men who had served on board such lines as the Inman and the Cunard—and Wardrop had been appointed by the builders of the vessel, Messrs. Elder of Glasgow, as their guarantee officer on her first trip to the East. In December, 1881, when off Suez, the boiler tubes of the vessel sprang a leak, owing—the engineers said—to the unsuitable coal she was using, and she was obliged to put into Aden for repairs. A survey was held, and the surveyors certified that the engineers were absolutely free from blame for the occurrence. The captain, however, suspended the engineers, and appointed two Spanish engineers in their places. These proving incompetent, after some delay he got two other engineers from Bombay to set matters right and to take charge of the vessel. In the meanwhile, at the British port of Aden the captain took it into his head to arrest the engineers on a charge of mutiny and drunkenness. It was an important point in connection with this case that the offence, if any, of these men was committed in Aden. Application was made to the Police Superintendent there, and he could not see why the offence, if committed at all, could not have been cognizable by the British Court at Aden. However, he had to state, in passing, that not one particle of evidence was produced in support of the charge brought against the men in the whole of the papers, and that at the trial of the men afterwards at Manilla the charge was never even mentioned in the judgment pronounced upon them. He might also mention that the men's story was very different from that of the captain. Their story was that the chief officer, overhearing and not understanding a conversation between two of them, concluded that they were saying disrespectful things regarding him; that he ordered the ship's crew to arrest them; that the ship's crew rushed upon them with knives, putting their lives in danger, and took them prisoners, and they were locked up in their cabins. In his case, however, he omitted all question of the illegality of those proceedings, and he based his contentions on what occurred after the vessel arrived at Singapore. The Spanish Government contended, and he was quite willing to admit it for the sake of the argument, that men committed for an offence on the high seas, though he could not see how the vessel at Aden could be said to be on the high seas, were amenable to the Spanish powers in regard to that offence; but, as he had said, he based his case entirely on what had occurred after the vessel arrived at Singapore. The vessel arrived there on the 14th of March, 1882. The captain had forbidden the men while at Aden to communicate with the shore, or with anyone but the Spanish Consul. They had, however, been able to smuggle to the shore a letter addressed to the Association of Engineers at Singapore, whom it happened to reach. On the arrival of the vessel at Singapore, the Association of Engineers obtained a writ of *habeas corpus*, ordering the captain to produce the bodies of the three men before the Supreme Court, and show cause for their detention. The writ was duly served. It was the duty of the Consul at Singapore to advise the captain, being within the jurisdiction of the Court, that he was bound to obedience. But the Consul advised disobedience. Having waited some time and the captain not putting in an appearance, on learning that an attempt was being made to run off with the vessel, the Chief Justice issued a writ of attachment against the person of the captain for contempt of Court. The officers intrusted with the service of the writ were boarding the vessel, and as they stood upon the gangway the captain made a diabolical attempt to plunge them into the water between the vessel and the quay by casting loose the gangway. This might have cost them their lives; but they luckily avoided the danger by jumping on board. Again, he said it was the duty of the Spanish Consul, who was present at the transaction, to have advised the captain to obey; but he once more told him that he was not bound to do so. But there was force at hand, and the captain made his appearance before the Court. He was defended by English counsel, and that counsel advised him that he should produce the men in Court; but again the Spanish Consul interfered and prevented his doing so. After considerable argument the case was adjourned until the following day, the captain being detained in custody on the understanding on the part of the Chief Justice that the vessel was to remain in port until the case was decided. Intimation was also made by the authorities that the vessel was not to leave the port until the case was decided. Nevertheless, the second officer, again acting on the instructions of the Spanish Consul, procured two engineers from the Spanish war vessel which happened to be lying at Singapore, and steamed off with the three English engineers prisoners on board, leaving the captain in the hands of the Sheriff. When the Court assembled the next day, these facts were stated, and the Chief Justice sentenced the captain to six months' imprisonment for contempt of Court, on the understanding that he should be liberated when the offence was purged by the surrender of the three Englishmen whom he had been ordered to produce. This statement embodied substantially everything that was essential to his case—that the writ of *habeas corpus* had been disregarded and trampled under foot by the direct, repeated, and admitted interference of the Spanish Consul. According to the Statute of 1679, any person who should knowingly detain, transport, or imprison any person or persons in defiance of a writ of *habeas corpus*, or should advise, aid, or assist therein, became liable to heavy pains and penalties, and was rendered incapable of holding any office or authority in Her Majesty's Dominions. The Spanish Consul at Singapore had clearly brought himself within the penalties of that Statute, and yet he still remained at the place as Consul. The question of the rights or wrongs of these men's imprisonment had nothing to do with his case; the question of the ultimate jurisdiction of the Spanish Court over them was practically beside the question. All that they had to concern themselves with was this fact—that an outrage had been committed upon the authority of the Supreme Court of one of our Colonies and upon the most sacred of our British laws. And yet, would it be believed that the first communication that passed between England and Spain as to this case was an angry protest on the part of the Spanish Government against the outrage which they said had been committed against the person of the captain in his imprisonment for defiance of our laws? The protest appeared so preposterous that he (Dr. Cameron) thought that on the interchange of communications the protest would have been entirely withdrawn. But, after clear and repeated explanations on our part, the Spanish Government still maintained its attitude of injured innocence, and unreservedly endorsed the action of the Spanish Consul in violating the English law. He confessed that, even after reading the despatches of the Spanish Government on the question, he entirely failed to see how any men not utterly blinded by partizanship could maintain the position which the Spanish

Government had taken up. The position taken up by Spain rested on four contentions, each of which was absolutely untenable. The formality of the writ was questioned; but that point had been raised before the Supreme Court at Singapore, and that was the sole tribunal competent to pronounce an opinion on the point, and it overruled the objection. Another objection raised was that the *Leon XIII.* was a mail ship, and was as such entitled to certain immunities. There were Conventions with other countries granting immunities to mail steamers in the matter of jurisdiction; but we had no Convention with Spain, and, even if we had, at that particular time the vessel had no mails on board. There was also a question raised as to the competency of the tribunal to try the men; but that was practically what our Court was called on to decide. And there was the final contention that the Consul had been treated with discourtesy, which, if it had been proved, would have had no bearing on the case. The whole of the Spanish case was repudiated again and again in the correspondence which had taken place between the two countries. Their case was based on contentions which were entirely beside the subject; and yet on the strength of that case the Spanish Government had the modest assurance to propose to this country that we should make reparation to the captain of the vessel for the outrage inflicted upon him. When the vessel left Singapore, thus illegally carrying off those English subjects, the Governor of the Colony sent a telegram to the Admiral in command of our China Fleet suggesting that it would be well for him to send a war vessel to Manilla, whither the *Leon XIII.* was bound, to offer moral support to our Consul there when he came to deal with the case. The Spanish Consul at Singapore got hold of a wrong version of the story, and telegraphed to the Governor of the Phillippine Islands that orders had been given to arrest the *Leon XIII.* on the high seas, and requesting permission to order a Spanish warship to escort her on her voyage. Luckily the Governor of the Phillippine Islands happened to be a cool-headed gentleman, and he gave orders that nothing of the kind was to take place; and finding that gunboats had been despatched from Hong Kong, he had an interview with our Consul, and pointed out that the presence of ships of war would make the matter very difficult to deal with. It was then decided that the men should be handed over to their Consul on their arrival. The gunboats were recalled, and after a day or two's delay our Consul asked and received the surrender of the imprisoned engineers. The arrangement was telegraphed to Singapore, whereupon the captain of the *Leon XIII.* was brought up before the Court, and was liberated after nine days' imprisonment. By the diplomacy of the Governor General of the Phillippine Islands the release of the captain was obtained two days before that of the engineers, and the Spaniards had pointed to that fact as showing that we were in the wrong; that, however, was a very minor and immaterial point. But although it had been distinctly understood, when the men were handed over to our Consul at Manilla, that they should not be further molested, it seemed that it was necessary, according to Spanish notions, that the matter should be wound up with a sham trial. Accordingly, the men were detained a month at Manilla, while a Naval Court inquired into their case. They were never brought before the Court during the whole investigation; and at last, when the sentence was pronounced, it contained no reference to the charge brought against them. It laid down the proposition, however, that they had expiated their unknown offence by the punishment they had undergone on board the *Leon XIII.*, and that it was not necessary to inflict further sentence. The men applied for payment of wages, but were refused; and they were consequently sent on to the Singapore at our Government's expense as distressed mariners. From that place they were forwarded, at the expense of the Colony, to England, on their own undertaking that they would repay the money if they recovered it from the owners of the *Leon XIII.* There was no question about this fact—that everything that occurred subsequent to the abduction of the men from Singapore was absolutely illegal. They were carried off from that place on the 16th of March, and were not allowed to depart from Manilla until the 21st of April. Their wages were refused; and they were sent home penniless and heavily in debt. After their arrival they raised an action in the English Court of Admiralty; but, again, on the intervention of the Spanish Consul, judgment was given against them on the ground that they must raise their action in a Spanish Court. In their fruitless endeavours to secure the protection of the Law of Habeas Corpus, and to obtain payment of wages admitted to be due, these men had been compelled to incur heavy expenses, which it would take two or three years of their earnings to wipe off. They had suffered cruelly by confinement in close cabins in tropical regions, with armed sentinals placed over them; and were subjected to every kind of indignity. The interest which our country had in insisting on reparation for such an insult was not to be measured by Spanish dollars or pounds sterling. To leave matters as they were was impossible. The Spanish Government not only backed up its Consul, but had actually lectured us on the inconvenience which the Law of Habeas Corpus inflicted on Spanish vessels in British ports; and had expressed the hope that Her Majesty's Government would adopt such measures as might be necessary to prevent any further conflict of jurisdiction by abolishing the applicability of the Law of Habeas Corpus to Spanish vessels in British ports. In his opinion the Government might as well abolish the *habeas corpus* as not obtain reparation for such an offence. He was glad that they had taken a decided stand in the matter. Her Majesty's Minister at Madrid, in his last despatch, wrote—

> "While Her Majesty's Government are most anxious to avoid any conflict of jurisdiction or any legitimate ground of complaint on the part of commanders or crews of Spanish vessels, they could not hold out any hope that any restriction will be placed on the protection afforded by the Law of Habeas Corpus in British dominions, which, of all the Constitutional safeguards of the liberty of the subject, is the one most highly prized by the Government and people of the United Kingdom."

Those were brave words; and he asked the House to affirm that the Government should act up to them. He entirely approved of the tone of the English despatches contained in the Papers which had been submitted to the House. He must call attention, however, to the fact that the last of these despatches was written four months ago, and no action had been taken since then; and he asked the House to affirm that the matter should not be allowed to drop. He could not understand the action of the Colonial Office in the matter, and why the *exequatur* of the Spanish Consul at Singapore had not been withdrawn. He could not understand why the Spanish Consul had not been dismissed. By the despatches he had proved himself ignorant of the first duties of a Consul, and regardless of the laws of the people among whom he resided. He had proved himself a dangerous enemy to international law and order; and in consequence of his decoration by the Spanish Government, he was a standing insult to the Supreme Court of the Straits Settlements. How were we to get redress? Spain had recently given us a lesson on that point in the case of the *Tangier*. The *Tangier* was an English vessel trading to Spain, and in November last she was at Carthagena. At that port there was a regulation that a vessel should have a pilot on board while unmooring. The pilot wished the officer of the *Tangier* to employ a lighter to assist, and on his refusal to do so left the vessel. The captain thereupon assumed command, and proceeded to take the vessel to sea. What occurred subsequently he would describe in the language of the account given in *The Nautical Magazine*. In approaching the seaway between the piers the vessel was hailed by a boat. The "hail" was in the Spanish language, which the captain did not understand. The vessel was a long one, being 280 feet over all. To bring to in that position would inevitably land her upon one of the piers, and there was not sufficient space to turn in—consequently he kept on. To his astonishment fire was opened upon him from two armed boats. The bullets struck the ship, and the funnel was scarred with them. One member had his hat shot through, and the captain ordered all hands below. He himself retained the bridge, but had to duck his head, as he saw in the moonlight a rifle deliberately aimed at him. He slowed down outside the piers, with the intention of bringing to; but the hail of bullets increased, and as he was covered by the big guns of the fort outside, the prudent course was to put on all speed seawards. He learned afterwards that the fort was signalled to fire upon him, and the result of that might have been the sinking of the steamer with all on board. On reaching Valencia a Spanish gunboat hove to alongside, and with shotted guns was set to watch him. On reaching the Consulate Captain Neate found that a telegram had been received ordering the detention of the vessel, on the ground of the captain of the port at Carthagena having been insulted. There were other trifling charges—damages to the quay, and such like. After negotiation he was permitted to return to Carthagena to load for Philadelphia. On reaching that interesting port Captain Neate was placed under naval arrest, notwithstanding his protest and that of the British Consul. He was brought before a sort of drumhead court on board a man-of-war, and condemned to fine and two months' imprisonment. The charges were not read, and he was not allowed to have counsel or cross-examine witnesses. On the intervention of the British Consul the Captain was liberated, and the *Tangier* allowed to depart, but not until a bond had been given over for £8 10*s*., the amount of the damage alleged to have been inflicted on the quay wall of Carthagena through the illegal action of the captain in defying the orders of her harbour master. That was the course of action that Spain had set for our example while we were endeavouring to instruct her in our Law of Habeas Corpus, and were endeavouring to justify our Supreme Court at Singapore. The fact that nothing had been done in the case of the *Leon XIII.* during the four months that had elapsed since the last published despatch, showed that something stronger should follow. What that something was he would not say. But with the case of the *Tangier* before us, we could not but feel that if our case had been the Spanish case she would not have waited so long before bringing about some settlement of the matter. He did not presume to tell the Government how they should vindicate our outraged law or secure compensation to our injured countrymen; but he affirmed that, acknowledging as they had done the existence of the outrage and the injury, they were bound to bring the matter to a satisfactory conclusion, and that was why he asked the House to strengthen his hands by adopting the Resolution which he had on the Paper.

Mr. H. LEE said, he wished to second the Motion which his hon. Friend had so ably put before the House. The case showed the intolerance of the Spanish Government, and the necessity of dealing firmly with them, as they evidently considered themselves at liberty to take a course which was contrary alike to law and justice. One of the three engineers was a constituent of his at Southampton, and he came up specially that day to plead that justice might be done him—that he might be compensated for the injuries he had sustained, and that the Government ought to insist upon some reparation being made to all three of the men for the manner in which they had been treated by the Spanish Government. He trusted the Government would accept the Resolution of his hon. Friend, and would take such steps as would place the matter in a more satisfactory condition than it was in now.

Motion made, and Question proposed,

"That, bearing in mind the manner in which Spanish Law was recently enforced in the case of the English steamer "Tangier," this House looks to Her Majesty's Government to uphold English Law, seriously violated in the case of the Spanish steamship "Leon XIII.," and to obtain compensation to the British subjects damnified in that case for the suffering and loss inflicted on them through the action of the Spanish Consul at Singapore."—(*Dr. Cameron.*)

Sir HENRY HOLLAND desired to say a few words on the Motion before the noble Lord the Under Secretary of State gave an official answer to the hon. Member for Glasgow. He entirely concurred in the strong—but not too strong—condemnation of the conduct of the Spanish Consul at Singapore. He thought there was quite sufficient ground for withdrawing his *exequatur;* and upon this point he was disposed to find fault with Her Majesty's Government for not having taken a more decided action. If the Consul was to be continued in office by the Spanish Government, he should be removed elsewhere, and take his decoration with him. But the misconduct of the Consul did not cover the whole of the Motion of the hon. Member for Glasgow; and while he (Sir Henry Holland) heartily concurred in the first part of the Motion—

"That this House looks to Her Majesty's Government to uphold English law, seriously violated in the case of the Spanish steamship, 'Leon XIII,'"

he desired to point out that there was some difficulty in calling upon Her Majesty's Government—

"To obtain compensation to the British subjects damnified in that case for the suffering and loss inflicted on them through the action of the Spanish Consul at Singapore."

There were mixed questions of fact and law in the case. One question of fact was whether the three engineers were guilty of the charges brought against them by the captain of the *Leon XIII.* He did not suppose that any Member who had read the Papers would entertain any doubt that the charge was unfounded. The story of the engineers was corroborated by the statements of Messrs. Whitehead and Cameron, and was further strengthened by the action of the Court at Manilla. It seemed tolerably clear that that Court felt that there was no case against these persons, for they did not venture to call them at the so-called trial; but determined the case in their absence and upon depositions. The proceedings were most irregular, and the trial little better than a farce. But still, assuming, as he did, that the engineers were innocent and grossly ill-treated on board the vessel, there would be some difficulty in framing a claim for compensation against the Spanish Government on the ground stated in the hon. Member's Motion. The alleged offence was committed on the high seas, or, at all events, not within the Straits Settlements jurisdiction. If, then, the writ of *habeas corpus* had been obeyed, instead of being set at naught by the Consul, the engineers would not have obtained their freedom at Singapore, unless, as was most improbable, the captain had admitted he was wrong, and that he had illegally detained them. The Supreme Court of Singapore was not, and could not, be called upon to take cognizance of the alleged offence; it could not do so, as the offence was committed outside the Colonial jurisdiction; it had to deal solely with the writ of *habeas corpus*, and to determine whether the engineers were in lawful custody. If the captain persisted in the charge, that charge could only be tried in Manilla. Admitting, therefore, the misconduct of the Consul, it did not make their detention up to the arrival at Manilla illegal, and did not give the engineers legal ground for compensation against the Spanish Government for their detention up to that place. Their remedy was against the captain of the vessel for his misconduct. The only ground apparently for compensation against the Spanish Government would be that they had not had a fair trial at Manilla, which was not the ground stated in the Motion before the House. He (Sir Henry Holland) was not at that moment aware of any precedent for such compensation, unless in some very special case. As to the compensation referred to by the hon. Member for Glasgow for wages and sufferings, he was afraid that the engineers would only have a remedy against the captain of the *Leon XIII.* The case of the *Tangier*, relied on by the hon. Member, was not in point, as the damages in that case were recovered against the captain of the vessel, and not against the English Government, and were recovered, as he understood, under the decision of a Court of Law. Before sitting down, he wished to say a few words upon another point in the case upon which at one time the Spanish Government seemed inclined to lay some stress—namely, that the steamer being a mail steamer was on the same footing as a ship-of-war, and that a writ of *habeas corpus* could not be issued in such a case. Now, in the first place, we held it to be quite clear that, according to international law, a mail steamer was not, in the absence of any special convention or arrangement, on the footing of a ship-of-war, and that she was not exempt from the territorial jurisdiction of the harbour or port in which she lay. She was subject to the general law applicable to merchant vessels. But even assuming that she was in the same position, and entitled to the same rights and immunities as a ship-of-war, still the writ of *habeas corpus* would properly run. This point came under the consideration of the Royal Commission on Fugitive Slaves in 1876, of which he had the honour of being a Member, and it might be taken that it was in substance decided by the great majority, if not all, of the Commissioners that a *habeas corpus* would run to test the legality of the detention of a person on board a ship-of-war. He would conclude by expressing a hope that, in the peculiar circumstances of the case, some compensation would be awarded by the Spanish Government.

Mr. JERNINGHAM said, he thought the hon. Member for Glasgow deserved credit for bringing forward this subject. There had been too many cases of this kind against the Spanish Government.

He thought he was not putting the case too strongly when he said this was an iniquitous case from beginning to such end as we had arrived at. Without entering into questions of law, he believed the facts proved that the imputed offence and the punishment of it occurred in the port of Aden, and not on the high seas as held by the Spanish Government. He confessed that Sir Robert Morrier was more than justified in trying to impress upon the Spanish Minister what the Law of Habeas Corpus was, and it struck him from that despatch that it was not understood up to the present day by the Spanish Minister, and that it would take him a long time to understand it. Under the circumstances, he feared that the House would be unable to do more than to give expression to the first portion of the Resolution—namely, that, having taken notice of this particular case, they should record their disgust at the treatment which those men had suffered without trial during three months and a-half of imprisonment. The statement of the Spanish Government, that they were satisfied that the prisoners had expiated an offence against their law without specifying that offence, was eminently unsatisfactory. He must impress upon the House the necessity of letting foreigners know that there was a limit to leniency. He had spent a long time abroad, and he could assure the House that when this country spoke seriously there was not a foreigner that did not listen. If, however, this country spoke and did not mean to act, then the foreigners saw through it. The Government, he thought, were quite right in looking upon the Consul at Singapore as a zealot; but his *exequatur* should have been withdrawn. He should like to hear the Government express their resolve not to allow a case of this kind to occur again, without taking more serious notice both of the case and of the Government which allowed it.

Lord EDMOND FITZMAURICE said, that the discussion had been a useful one, and he was obliged to the hon. Member for Glasgow, not only for bringing it forward in a calm and temperate manner, but for the fact that he had called attention to it, because such cases were usefully discussed in the House. It was well that English subjects generally, and more particularly English sailors, who were exposed to great perils, should know that, occupied as the House of Commons was, it was nevertheless possible, in the last resort, to find time to consider grievances of this kind. Such cases had been too frequent of late in Spain, and the hands of the Government were undoubtedly strengthened by discussion, especially when there was no difference of opinion about the merits of the case in this country. The hon. Member for Midhurst (Sir Henry Holland), to whose speech he had listened with the greatest interest, had pointed out that there were certain objections to the Motion, and with those objections he himself agreed; but the object of the hon. Member who brought forward the Motion was not to take a division, but to ventilate the subject. There were two points involved in the proposal. First of all, there was the position of the British Government over against the Spanish Government on this question, and then there was the position of the men themselves, and it was necessary to distinguish these points. In regard to the position of the British Government over against the Spanish Government, his hon. Friend the Member for Glasgow seemed to be fully satisfied with the conduct of the Government up to the time where the despatches published terminated; because, as he pointed out, nothing could be clearer than the language of the concluding paragraph of the last despatch. The Spanish Government had apparently been unable to understand the English doctrine of *habeas corpus*, which was one of our most cherished legal doctrines, the result of the historic growth of the liberties of this country. Nevertheless, although they might forgive that inability to understand, it was not, of course, to be tolerated for a single instant that we should waive one jot or tittle of the territorial extent over which the English doctrine of *habeas corpus* obtained—that was to say, that we could not hold for a single instant that in the territorial waters of a British port it should be held that the doctrine of *habeas corpus* ceased on board a foreign ship. Sir Robert Morier was, therefore, instructed to inform the Spanish Government that, while Her Majesty's Government were most anxious to avoid a conflict of jurisdiction, they could not hold out the remotest hope that any restriction would ever be placed on the remedies accorded in the Law of Habeas Corpus in Her Majesty's dominions.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

LORD EDMOND FITZMAURICE resumed: At an early point of the negotiations Lord Granville said he was not disposed to insist upon the withdrawal of the *exequatur*, because it would appear that the Spanish Consul, though acting in a mistaken manner, had, on the whole, acted *bonâ fide*. A good deal of indignation had been caused by the persistent attitude of the Consul in this matter, and there was an impression that he had been decorated by the Spanish Government in consequence. He was not sure whether the Consul had been decorated or not; but he did not wish it to be supposed that because there was no further mention of the subject of the *exequatur* in the Papers, that incident was entirely closed. It must depend upon ulterior considerations, and it was receiving the closest attention of the Secretary of State. He would now turn to the grievances of the English engineers against the Spanish employers and officials, as distinct from the grievance of the English Government against the Spanish Government. In passing, he might pay a tribute to the judgment displayed by the Captain General of the Phillippine Islands; because he believed that if the Spanish Consul at Singapore had acted in a similar manner to this eminent man, the question of the *Leon XIII.* would never have assumed its present gravity. The Papers presented contained a despatch from Consul Wilkinson, of Manilla, who had shown great judgment in difficult circumstances. He wrote that a Naval Court was called together, and that after waiting some considerable time he received a copy of the judgment of the Court, stating that the punishment the men had already undergone was deemed by the Court sufficient expiation of their offence, and that the Court no longer deemed detention necessary. No mention was made of the nature of the charges for which the men were put upon their trial, nor were they asked to be present during the hearing of the case. They were not even present while the depositions of their accusers were taken. They were refused their wages, and had to be sent on to Singapore at the public expense, while throughout the case they had no opportunity whatever of clearing their characters. Then arose the series of circumstances which had already been detailed to the House, upon which hung the question of what claim these officers had upon the Spanish Government. There could be no doubt that the claim of the engineers, in the first place, was against their Spanish employers, as they had originally entered into a contract with them. He believed they had found that such an action would not lie in this country or in an English Court; but this was a question with which the Foreign Office had nothing whatever to do. But one thing was certain, that until these men had exhausted their proper legal remedy it would be impossible for Her Majesty's Government to say what further steps it might be necessary to take. The House must be aware that interferences in matters of this kind were delicate, difficult, and rare; and the House would no doubt hesitate to press upon Her Majesty's Government the adoption of any particular course at this moment. He thought he might fairly ask the House to believe that Her Majesty's Government were not only well acquainted with the facts of the case, but that they were also fully aware of their importance, and would continue to watch them as they proceeded. He ventured to make one further criticism of the Motion. The hon. Member for Glasgow (Dr. Cameron) had set before Her Majesty's Government the conduct of the Spanish Government in the matter of the *Tangier*, he would not say as an example for them to imitate, but as a kind of guide which they would do well to follow. He was sure that was not the hon. Gentleman's intention, but the Motion was open to that construction. The case of the *Tangier*, he considered, was an example to be avoided, because the proceedings were high-handed and hasty. This question was, he was happy to say, in a fair way to a favourable settlement, and he would have been able to present the Papers on the subject, only that they related to a pending negotiation. But he hoped before long, in answer to a Question or otherwise, to be able to acquaint the House with what had been determined as to the *Tangier*. It was only due to Her Majesty's Minister at

Madrid to say that, with regard to these matters, which were exceedingly difficult, involving questions of private international law, and a most complicated series of facts, the Papers showed that he had known how to assert the dignity of this country, to support the great Constitutional doctrines which they all valued, and, at the same time, to maintain that conciliatory attitude which officials in foreign countries were bound to observe with regard to the Government to which they were accredited.

Mr. BOURKE said, he did not think, after the remarks of the noble Lord, that the House would be disposed to carry the matter much further. He wished to endorse all that had been said by the noble Lord with respect to Sir Robert Morier, who was distinguished not only as a Diplomatist, but as a Constitutional lawyer, and deserved thanks for the action he had taken on this question. The conduct of the authorities at Singapore also deserved commendation, because they took a proper view of the doctrine of *habeas corpus*, and carried out that view in a proper manner. He said the same of the conduct of our Consul at Manilla. Although the House appeared to have derived some benefit from the discussion, there were three persons who seemed to have little chance of receiving an advantage from it. He referred to the three English engineers, for whom the noble Lord held out no prospect of anything being done by Her Majesty's Government. He feared the noble Lord had spoiled their chance of obtaining any compensation whatever from the Spanish Government. He quite agreed that it was necessary to ask the Spanish Courts for a decision before they could go to the Spanish Government for compensation; but there was one point that had not been mentioned, and that was that if the Spanish Court at Manilla did keep those men in custody, a question arose between this Government and the Spanish Government as to whether a legal and just claim did not exist on that ground. That was a point which he hoped Her Majesty's Government would take into consideration. He hoped the anticipations of the noble Lord would be realized, and that the discussion which had taken place would not only have a beneficial effect as to the question of compensation, which might hereafter be obtained for these unfortunate persons, but would teach the Spanish Government that they must give certain instructions to their officers abroad, so as to avoid the violation of the most cherished principle of British freedom.

Sir CHARLES W. DILKE said, he merely wished to say, in answer to a remark of the right hon. Gentleman, that he could assure him that Her Majesty's Government had not put out of sight all possibility of being able to support the claim for compensation against the Spanish Government. His noble Friend did not intend that construction to be put upon his words.

Mr. CAVENDISH BENTINCK desired to enter his strongest protest against some of the remarks which had fallen from the hon. Member for Midhurst (Sir Henry Holland). He differed entirely from the view that they had no claim against the Spanish Government. The men had been imprisoned for four weeks, and, therefore, they had a claim on the ground of international law. He had had several cases before him, including those of the *Cagliari*, the *Orwell*, and the *Tornado*. In the case of the *Tornado*, the Spanish Government did exactly what they had done now, and absolutely refused to have the case investigated. That case was almost on all fours with the present. Still later was the case of the *Mermaid*, in which no compensation was awarded. The Secretary of State at that time was Lord Derby, a Minister in whom he had no confidence then, and had none now. Lord Derby told the House of Commons that the Spanish Government had been guilty of a great act of hardship and ought to pay compensation, but that they had refused to do so. He then asked what was he to do? The Spanish Government would not pay, and the only alternative was war, and to that he would not assent. The Government, if satisfied that there had been a denial of justice in such a case, ought to take a firm stand, and insist on justice being done. The hon. Member for Carlisle (Sir Wilfred Lawson) and the hon. Member for Merthyr (Mr. Richard) were constantly saying—"Oh, what does it matter; British subjects have no business to trade, no business to go into the service of other countries, no business to make foreign investments; if they do they are fools for their pains." That was language which, unfortunately, too frequently proceeded from the opposite Benches, and he was very much afraid it affected the Government. He regretted to see the empty state of the Benches on a question of such importance. If the debate had turned on the wrongs of a Dissenting chapel, or on the Contagious Diseases Act, it would, no doubt, have been otherwise. He hoped the noble Lord would not relax his efforts on behalf of these unfortunate men; for there was a substantial grievance and a positive denial of justice.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, it was important that in making a demand on a Foreign Power, there should be no vague language of declamation, such as had been indulged in by the right hon. and learned Gentleman opposite (Mr. Cavendish Bentinck), and that the Government should take their stand upon clear and definite principles. The present question had not been lost sight of by the Government, but had received their careful consideration. The right hon. and learned Gentleman had referred to several cases as precedents on which the Government should act; but all cases of this kind must be dealt with according to their particular circumstances. However, none of the cases referred to were in any way parallel to the present case. It was not right to say that because compensation had been obtained in one case it ought to be obtained in another.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter before Nine o'clock.

# HOUSE OF COMMONS,

## *Wednesday, 25th April,* 1883.

---

MINUTES.]—PUBLIC BILLS—*Ordered—First Reading*—Local Government Provisional Orders (Poor Law) * [149]; Local Government Areas * [151]; Settlement and Removal Law Amendment * [152].

*First Reading*—Ground Game Act (1880) Amendment (No. 2) * [150].

*Second Reading*—Drainage (Ireland) Provisional Orders * [144]; Cemeteries [45], *debate adjourned.*

*Withdrawn*—Ground Game Act (1880) Amendment * [121]; Poor Removal and Settlement (Ireland) [20].

## *ORDERS OF THE DAY.*

### POOR REMOVAL AND SETTLEMENT (IRELAND) BILL.—[BILL 20.]

(*Sir Hervey Bruce, Mr. Corry, Mr. Lewis, Mr. O'Sullivan.*)

### SECOND READING.

Order for Second Reading read.

MR. BUCHANAN: Mr. Speaker, I have to call your attention to an important matter, upon a point of Order. In point of fact, there are two points in which I submit that this Bill is out of Order. In the first place, the title of the Bill does not correspond with the substance of it; and, in the next place, the Bill itself does not correspond with the Order of Leave to introduce it. Leave was given to introduce "A Bill to Amend the Law of Settlement and Removal of Poor Persons to Ireland," and the Bill itself is entitled "The Poor Removal and Settlement (Ireland) Bill." But the substance of the measure deals with the repeal of a certain number of English Acts which certainly relate to the settlement and removal of poor persons, but not to the removal of persons to Ireland. Therefore, as the title and the substance of the Bill do not agree, I contend that the measure itself is out of Order. The title, I submit, does not govern the substance of the Bill. The second point of Order is that the Bill does not correspond with the Order of Leave to introduce the Bill. The Order of Leave moved by the hon. Baronet the Member for Coleraine (Sir Hervey Bruce) on the 16th of February was for a Bill to Amend the Law of Settlement and Removal of Poor Persons to Ireland. I have stated, and I believe it is the fact, that the substance of the Bill has nothing to do with the settlement and removal of poor persons to Ireland, but that it deals with certain English Acts relating to the removal of poor persons. I wish to call attention to Rule 358 of the "Rules and Orders of the House," which states that—

> "Every Bill not prepared in pursuance with the Order of the House, or according to the Rules and Orders of the House, shall be ordered to be withdrawn."

I submit to you, Sir, that the expression "every Bill" means the whole Bill, including the title and substance as well, and I contend that this Bill has not been prepared in pursuance of that Order.

Notice taken, that the Bill was not prepared pursuant to the Order of Leave.—(*Mr. Buchanan.*)

SIR HERVEY BRUCE: Have I permission to answer the remarks of the hon. Member? [Mr. SPEAKER signified assent.] Then, as the hon. Member in charge of the Bill, I have to say, in answer to the hon. Member for Edinburgh (Mr. Buchanan), I have no objection to remove the words "to Ireland" from the description of the Bill. At the same time, I cannot see that the Bill is out of Order in consequence of those words being in it, because it is undoubtedly a Bill for the removal of poor persons from one place to another, and I do not see that the words "to Ireland" alter the nature and principle of the measure, although they may be unnecessary.

MR. SPEAKER: The question for my decision appears to be whether this Bill, as introduced and set down for a second reading, is in pursuance with the Orders of the House. Now, the hon. Member for Edinburgh has referred to the Rules and Orders of the House, and has read Order 358, which states that—

> "Every Bill not prepared in pursuance with the Order of the House, or according to the Rules and Orders of the House, shall be ordered to be withdrawn."

It certainly does appear to me that this Bill has not been prepared in pursuance with the Rules and Orders of the House, and therefore it ought to be withdrawn.

SIR HERVEY BRUCE: After your ruling, Sir, of course I have nothing to say but that I shall ask leave to-morrow to introduce a fresh Bill on the subject.

MR. J. N. RICHARDSON: I wish to know, on the point of Order, if it is necessary that the hon. Baronet should go through the form of re-introducing the Bill in a regular form, or whether it can be set up in any shorter manner?

MR. SPEAKER: The hon. Member should move to discharge the Order for the second reading of the Bill, and then ask leave to bring in another Bill.

SIR HERVEY BRUCE: Can I do that now, or must I ask the leave of the House to introduce a fresh Bill to-morrow?

MR SPEAKER: The first step to be taken is to discharge the Order for the second reading of the Bill. Does the hon. Member move that the Order be discharged?

SIR HERVEY BRUCE: Yes, Sir.

Motion made, and Question, "That the Order for the Second Reading of the Bill be discharged,"—(*Sir Hervey Bruce,*)—put, and *agreed to.*

Order *discharged;* Bill *withdrawn.*

SIR HERVEY BRUCE: I will to-morrow ask leave to introduce a fresh Bill on the same subject.

MR. SPEAKER: The hon. Member is at liberty to take that course if he thinks proper; but it can be done at the end of the present Sitting. The hon. Member, however, must consider and settle the point as to the title of the Bill.

## CEMETERIES BILL.—[BILL 45.]

(*Mr. Richard, Mr. Illingworth, Mr. Henry H. Fowler, Mr. George Russell, Mr. Woodall, Mr. Caine.*)

### SECOND READING.

Order for Second Reading read.

MR. RICHARD said, he rose to move the second reading of the Bill to amend the law relating to cemeteries. In doing so, he need not trespass long on the time and patience of the House, as he believed he could compress into a few observations all that was necessary to explain its principal provisions. The Bill dealt mainly with two points. One related to certain obligations which now devolved on Burial Boards or other burial authorities which were felt to be both unnecessary and oppressive. As the House was aware, under the existing Burials Act, Burial Boards were obliged to divide the cemeteries into consecrated and unconsecrated parts; to erect two chapels, one of which was to be consecrated; to apply to the Bishop to consecrate a part of the ground; to pay the costs; and, in the event of the Bishops refusing to consecrate, to apply to the Archbishop for a licence. All these arrangements rested on the unhappy notion, once general, but now fortunately disappearing, that the religious distinctions which separated men in life must be perpetuated after death.

The Act of 1880 did a good deal to break down this prejudice by legalizing the burial of Nonconformists in consecrated ground in churchyards and cemeteries, and by permitting the Church of England Service to be celebrated in unconsecrated ground. But, even before the passing of that Act, there were many members of the Church of England who regretted the existence of this distinction, and admitted that it should be done away with. Amongst others, the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross)—who had dealt with the matter frankly and in a very Christian spirit in that House—had again and again expressed himself as opposed to the middle wall of partition in cemeteries. The late Archbishop of Canterbury also shared this feeling, for in a debate on the Burials Bill, in the other House, he used these words—

> "A cemetery with two chapels in it is a proclamation to the whole world of the differences between the Church and Dissenters, and I shall not regret if the instances of that proclamation are not multiplied."

The Bishops of Ely, Manchester, and Exeter had all expressed themselves very strongly in the same sense. But since the passing of the Act of 1880 these distinctions were not only offensive, but had become anomalous and absurd, for that Act had practically put an end to the difference between consecrated and unconsecrated grounds. So much was this felt that several of the Bishops—the Bishops of Peterborough, Ely, and Lincoln—had positively refused to consecrate any more cemeteries in their dioceses, on the ground, he (Mr. Richard) presumed, that it was useless and unmeaning. Well, the Bill proposed to abolish that obligation. The question was becoming one of pressing urgency. Cemeteries were being multiplied, and would be more and more so, as churchyards were closed; and, in many places, the question of consecration was giving rise to violent controversies, to the great detriment of good neighbourhood and Christian charity. But though the Bill relieved Burial Boards from the obligation to consecrate, it did not prevent consecration. On the contrary, there was a clause which expressly provided that no Board should have power to prevent the consecration of a part or the whole of a cemetery. They only asked that it should be simply an ecclesiastical proceeding carrying no legal consequences. The other main point in the Bill was to put an end to the existing arrangement, in consecrated ground in cemeteries, which placed the parochial clergy and other officials in the same position in regard to services and fees as they occupied in churchyards. The way in which the present singular custom arose was thus described by one of our journals—

> "It is now half-a-century since the formation of Kensal Green Cemetery by Act of Parliament, followed in five years by the Act authorizing the Brompton Cemetery. The Cemetery Companies provided the ground, the labour, and the service when required. They were, therefore, wholly independent of the parochial clergy. The latter, however, successfully maintained a claim to burial fees, although it had never before occurred to any clergyman to claim a fee for a body carried out of his parish into another for burial."

It must be remembered that the churchyards were closed because their capacity to hold more dead bodies was exhausted, and it was imperatively necessary for the public health that no more burials should take place, so that that source of income for the clergy had come to a natural termination. But, by the present Cemetery Acts, the clergy were asserting a sort of vested interest in their dead parishioners for all time. It was impossible that this extraordinary regulation could continue. It was giving rise, in many places, to great dissatisfaction and a sense of wrong. His Bill proposed that that power of exacting fees should cease with the death of existing incumbents. He believed that these proposals, so far from being injurious to the clergy of the Established Church, would only remove unjust and invidious privileges, which now served to excite prejudice and resentment against them and their Church. He begged to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Richard.*)

Sir WILLIAM HARCOURT said, that, without pledging himself to the details of the Bill, he thought his hon. Friend (Mr. Richard) had made out a clear case for an alteration in the law with respect to burials. The duty, more or less, devolved on the Home Office to determine, when a new cemetery was opened, how much ground should be consecrated and how much should be unconsecrated. The cemetery was provided at the expense of the ratepayers for the very desirable object, becoming more and more necessary every day—that was, the discontinuance of burials in crowded churchyards. Then the Home Office was called upon to determine what was the relative proportion of Dissent and Churchmanship which should govern the appropriation of the land. But the question was, was it necessary to decide that? In any case he ventured to say that was a duty which should not be cast on the Executive Government to perform. His hon. Friend had referred to a sentiment, in which he thought everybody would agree, that they did not desire the wall of partition between the consecrated and the unconsecrated ground to be made more conspicuous than was necessary. What was the advantage of having that distinction at all? There was one proposition of his hon. Friend with which he agreed, that persons who desired the remains of their friends to rest in consecrated ground should have the means of having that wish fulfilled; and he had pointed out that in this Bill provision was made that the ground should be consecrated. But why should not the whole of the ground be consecrated, so that those who attached importance to consecration should have the whole ground for burials, while others, who did not, would derive no injury from the mere fact of the consecration of the ground? That principle seemed to him to be sound, and one that might well be adopted. As regarded the chapel, it certainly seemed that in some parts of the country the Dissenters were the most numerous; and it would be a very great hardship if the parish should have to build two chapels, as if to emphasize the distinction between the Church and Dissent, when one common chapel might be employed for the services of the dead of all religious denominations. He did not understand the sentiment of those who objected to the same building being employed. It seemed to him a very reasonable proposition, and he did not see why anybody should object to it. Why should a Dissenting minister object to read prayers for the dead in a building where the Service of the Church of England had been performed, or why should a clergyman of the Church of England object to read the Burial Service in a chapel in which the minister of another faith had officiated? The question was, no doubt, complicated by another matter—a pecuniary one—and that was the question of fees. The present state of the law with regard to that was that the churchyard was divided into two portions, and since the Act of 1880 a Dissenter had as much right to be buried in the consecrated portion as in the unconsecrated portion, but if he was buried in the consecrated portion he was to pay the fees to the parson. But then he asked why, if he wished to be buried in consecrated ground, should he pay a fee to the parish clergyman as well as his own minister? He might have friends belonging to the Church of England, and he might desire to be buried with them, and he could not see why a fee should be levied upon him for a parson who did not perform the service. It might have been intelligible formerly, but it was not so now that the burial ground in question was not the parson's freehold. The question of fees would require further consideration in Committee, and should be discussed with justice to all parties; but in a matter which touched sentiment so much he hoped the pecuniary part would not be found an insuperable difficulty. He thought he had touched upon the several points raised by the Bill. He was bound to say that as churchyards became more crowded, and as new cemeteries were being made, the reluctance on the part of Burial Boards to a division of the ground would place the Executive Government in great difficulty; because, if they were not inclined to make the provision required by the Bill, he was not very well aware of any process by which they could be compelled to do so. It seemed to him there was nothing of which anyone could complain in having a joint cemetery open to everybody—as, in fact, it was open now. A general consecration of the whole ground might be secured; and he believed he was speaking the opinion of the great majority of the Bishops when he said that they had no sympathy with those few among their number who had declined to consecrate ground in which Dissenters desired to be buried. Speaking generally, he believed the Bill would remove existing religious difficulties, and therefore, with the limitations he had mentioned, he would support the second reading.

MR. WARTON said, that the mode in which legislation was accomplished in this country was such that it was only necessary for a cry to be got up by a certain class of persons, and the question immediately became a burning question, and one fit for legislation. This Bill has been brought forward as an act of enmity against the Church of England, and was drafted entirely from a Dissenter's point of view. It was supposed at the time that the compromise effected by the Act of 1880 would finally settle this question; but instead of being satisfied with what they had gained, the Dissenters now came forward with a new demand, which not only wounded the sentiments of Churchmen, but would affect the pockets of the Clergy. The rights of the Clergy would be summarily extinguished by the measure, the object of which was confiscation as well as irreligion. These things were often combined, and they went very well together; and, no doubt, this was a reason why the Government would support the proposal. The Government had already confiscated the property of the Irish landlords; and they were now going, if they supported this Bill, to confiscate the property of the parsons of England. The House should remember that in 1880, only by the narrow majority of three, blasphemous proceedings were prevented from taking place in our churchyards. Who could tell that proposals of a similar character to those then made would not be made when they got into Committee? He was quite sure that the Bishops and Clergy had carried out the Burials Act in a fair spirit, and he thought that this was a very bad return to make them. He feared that since Her Majesty's Government, in its demoralized condition, had pronounced itself the friends of Atheists and Infidels, some of their supporters would oppose the maintenance of consecrated burial grounds through sheer hostility to the Church.

MR. SALT said, he was not prepared to make any definite objection to the second reading of the Bill; but he must ask the hon. Gentleman who introduced it to understand that he reserved his right to examine the Bill very carefully in detail, and, if necessary, to oppose it at a further stage. Speaking for himself, there was one thing in which he cordially agreed with the introducer of the Bill, and that was in his desire to do away with the necessity of two chapels in a graveyard. He must confess that he had often looked with some degree of pain at two exactly similar chapels standing side by side in the same cemetery; and his own feeling was that, whatever religious difficulties might exist during life, they ought to be buried in the grave. He felt rather sorry that the Bill had been introduced, because he doubted whether there was any demand for such legislation throughout the country. He had never heard in any locality an objection raised to the present system, and he knew that there was a strong feeling — even in localities where it might not be expected—not only among Churchmen, but Dissenters also, in favour of being buried in consecrated ground. There were many questions connected with the Bill upon which it was difficult to decide. Those questions, as the Home Secretary had observed, would require very careful attention when they came to consider the Bill in detail. It had occurred to him that the best course to adopt with regard to this Bill would be to refer it to a Select Committee; but that would take time, and there was this difficulty—that under the present system of carrying on the Business of the House hon. Members were completely overtaxed in Committee work upstairs. He did not, therefore, propose to refer the Bill to a Select Committee; but he hoped the introducer of the Bill would, after taking the second reading, postpone the next stage for some time, in order that they might be able to obtain fuller information as to the feeling of the country on the question. With regard to the question of fees, he did not quite follow the remarks which fell from the right hon. and learned Gentleman the Home Secretary. They should be very careful not to do any injustice. He admitted that if they were dealing with the matter *de novo* the House would probably not adopt the present system; but the House must not overlook the ancient privileges and customs which had formerly prevailed, and which had been modified from time to time. For his part, he would discountenance any interference with the pecuniary rights of so hard-worked and meritorious a body of men as the Clergy of the Church of England. As he had said, he should raise no objection to the second reading of the Bill, but reserved his liberty of action at a future stage.

Mr. CROPPER said, there seemed a feeling in the country that there was some incantation about the ceremony of consecration; but it merely meant there was to be a sanctity about the ground which would prevent its being interfered with by any of those strange ceremonies which had taken place in this and other lands. While he approved the general objects of the Bill, he thought it required one or two alterations. He thought that the provision made by Clause 3, for taking into a churchyard an adjoining field if necessary, ought to be struck out, as it might be open to a good deal of objection. Then, as to Clause 6, he was sure his hon. Friend did not mean that, where there were two chapels, it should be a matter of choice in which of the two Services should be performed. Upon this point matters should be allowed to remain as at present. As to the future erection of chapels, he (Mr. Cropper) could only say that whether he passed through the country by road or rail he always shuddered to see in the burial grounds two chapels. It seemed as though they existed to commemorate and make public the difference which had existed in the Protestant Church. Again, as to Clause 10, it was desirable that there should be some proper authority as to the use of particular inscriptions on tombstones, and he would suggest the Bishop as the best authority. Difficulty frequently arose on these points —sometimes, of course, of a very slight description; for instance, as to whether hallelujah should be spelt with an "h." He thought such questions ought not to be left to be decided by the Burial Board, consisting, it might be, of small tradesmen. One advantage of this Bill would be to render unnecessary the passing of another measure which was before the House on this subject—namely, the Burial Fees Bill, which contained a good many elements of difficulty, and many points on which differences would certainly arise in the House and in the country. It was a matter for congratulation that the subject had been discussed in so temperate a manner, and he hoped that this Bill would have the effect of settling it for good.

Mr. WHITLEY said, he rose to express his general concurrence with the view of the hon. Member for Stafford (Mr. Salt). For his part, he had no feeling with regard to this Bill, except that which he was sure they all had. He was sure they would all be most happy to promote good feeling between the members of the Established Church and Dissenters. His hon. Friend the Member for Kendal (Mr. Cropper) spoke with reference to the alterations which the hon. Member, he (Mr. Whitley) had no doubt, was willing to introduce into this Bill. He was quite certain that those alterations would very much add to the progress of the Bill through the House. In the City he had the honour to represent they had, at the present time, four cemeteries; and there had never been the slightest difficulty between Church people, Roman Catholics, and Dissenters. They had all their own chapels built within the grounds, and all these chapels had undergone some measure of consecration. The Roman Catholic chapels were consecrated by the Bishop of that Church, the Church of England chapels by the Bishop of that Church, and the Dissenting chapels had had a Dissenters' Service, and the ceremonies had been worked in perfect harmony throughout; and, therefore, one of the alterations suggested by his hon. Friend the Member for Kendal would meet this; and he (Mr. Whitley) was quite sure it would be very undesirable to disturb the harmony that existed. In regard to the churchyard, he quite agreed with his hon. Friend that the removal of the dead would very much influence many hon. Members on this side of the House. There was one point upon which he would venture to commend to the hon. Member who introduced the Bill. In the Bill there was a proposition that the Bishop might consecrate any portion of the ground; but that ground, when so consecrated, might be open to Dissenters as well as to Churchmen. For his part, he entirely concurred. He did not think that the old line of demarcation between Church people and Dissenters now existed. He was quite in harmony with the views of his hon. Friend the Member for Stafford; but he must say, with regard to the Roman Catholics, that the Roman Catholics had some very strong views with respect to consecration. What would they do in the event of one chapel only being available? He did not believe that the Roman Catholics would avail themselves of it. There would be this hostility to the consecration of the same place by the Roman Catholic Bishop and by the Bishop of our Church. He confessed he saw that this would create a difficulty which did not occur to the mind of his hon. Friend who introduced the Bill. He was quite satisfied of this—that, however the Bishops of the Church might not object, the Roman Catholic Bishops would. He agreed with the observation of the Home Secretary, that perhaps the majority of the Bishops of the Church at the present moment would not object to consecrate ground, although possibly the consecrated part would be available for Dissenters; and he hoped the majority of the Bishops would not; but he fancied, with regard to the Roman Catholic Bishops, they would insist on the ground not being used for other than members of their own faith. That, perhaps, had not occurred to the hon. Member. He would wish, if possible, to meet the difficulty —perhaps the scandal almost—of having the same chapel consecrated by two different classes of Bishops. Generally, he concurred most heartily with the provisions of the Bill; but he might observe, like his hon. Friend the Member for Stafford, that when they came to the details of the Bill it might be arranged, because the Bill had been introduced into the House somewhat suddenly, and he had not had an opportunity of studying it till within the last few minutes. He hoped that the alterations which would be introduced in Committee would make the Bill acceptable to the House and to the country.

Mr. THOROLD ROGERS wished to point out, with regard to the difficulty adverted to by the hon. Member for Liverpool (Mr. Whitley), that Roman Catholics attached but little importance to the consecration of the building. They principally required the consecration of the altar, which, in the case of burial grounds in which there was one chapel only, might be a movable one.

Colonel KING-HARMAN said, it was an entire mistake to suppose that Roman Catholics would assent to burials in cemeteries not consecrated by their own Bishops; and, speaking from experience, he could say that if they were not so consecrated there would not be a single Roman Catholic burial in them. One objection to this Bill was that it permitted any cemetery chapel to be used for any burial. What would be done in the case of an Infidel who, on the occasion of a burial, chose to go and make an oration over his friend, first in the chapel of the Established Church, then in the Dissenting chapel, and then in the Roman Catholic chapel? He also thought sub-sections 2 and 3 of Clause 4 were open to objection. He was sorry to find that the settlement of this question, which was supposed to have been made in 1880, should so soon be attempted to be disturbed.

Mr. THOMAS COLLINS said, he did not think that any Bill could be regarded as a settlement between the different religious denominations with regard to this question. He believed that, so far from any settlement being arrived at between Churchmen and Dissenters on this question, the wrangle, which had lasted so long, would go on for many years to come. It was necessary that there should be graveyards for the interment of the dead, for the sake of public health and decency; but he was certainly of opinion that where religious denominations required chapels for what was really their religious worship they ought to provide them for themselves, and not throw the cost upon the ratepayers. Chapels were the luxuries, and not the necessaries, of interment. A great deal was said about the endowment of religion by the State; but this was the endowment by the State of the various denominations for whom the chapels were provided. Some parts of the Bill seemed to him to aim more or less at the Disestablishment of the Church of England, and to endeavour to place the members of the Church in a worse position than Nonconformists. It could not be said that the clergy and laity of the Church of England had not fairly and honestly adopted the Act of 1880; but if this legislation were pressed further and the Church was driven into a corner great ill-feeling would result. Moreover, the practice would grow up, which he should regret to see, of the different denominations maintaining their separate graveyards vested in the hands of trustees. While he objected to the principle of the Act of 1880, yet he had likewise also opposed the theory of making any part of the churchyard a "Potters' Field" in which to bury Nonconformists. For his own part, he would like to see the Burial Service conducted in the church of a denomination, and the body then taken direct to the grave.

**Mr. RICHARD** said, he must express his great satisfaction and gratitude at the fair spirit in which the Bill had been received by hon. Gentlemen opposite. He did not deny that the points which had been suggested were deserving of very grave consideration; and, without absolutely pledging himself, he was perfectly willing to entertain them in a most conciliatory spirit.

**Mr. SPEAKER**, interposing, said as there was no Amendment before the House the hon. Member was not entitled to make a second speech.

**Mr. BERESFORD HOPE** said, he was sorry to break the unanimity and concord of the House on this Bill; but, to put the hon. Member for Merthyr in Order, he would move, as an Amendment, that the Bill should be read a second time that day six months. If he did not mistake, the Bill was the result of a Committee upon which both he and the hon. Member for Merthyr sat last year with regard to burial fees.

**Mr. RICHARD** explained that he first introduced the Bill last Session before that Committee sat.

**Mr. BERESFORD HOPE** said, that, at all events, the question was thoroughly thrashed out by that Committee, and resulted in a very eloquent Report, which, beginning with a statement of first principles, ended, as a climax and peroration, with a scathing denunciation of iron railings around burial places. With regard to this Bill, while it did not prohibit the consecration of cemeteries, it relieved the owners from any necessity of having them consecrated. Nor need there be any chapel provided for the Burial Service of any form of Christianity. He could not but regard those provisions of the Bill as a gross and unjustifiable denial of religious freedom and equality. It was virtually to deny to those large classes, who cared for consecration and for worship in connection with burial, the opportunity of carrying out their conscientious convictions. Then, again, to deprive the parochial Clergy of their right to the burial fees of those of their parishioners who were buried in the cemeteries was another illustration of the fashionable policy of confiscation. It would be a serious loss of income to the Clergy if they were not allowed to treat the cemetery which had been substituted for the churchyard as part of it. The Clergy had been plundered a great deal already, and he feared were destined to be plundered still more in the sacred name of civilization. As the Bill sought to sanction an act of intolerance and an act of brigandage, he moved that it be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Beresford Hope.*)

Question proposed, "That the word 'now' stand part of the Question."

**Mr. STANLEY LEIGHTON** said, that the hon. Member had not drawn up his Bill in accordance with the recommendations of the Committee on Burial Fees. The Bill was objectionable for several reasons. It was retrospective, and affected, in Clause 4, every building in a cemetery consecrated before as well as after the passing of the Act. The measure was decribed as a Cemetery Bill. It was nothing of the kind. It was a Churchyards Bill, and was intended to govern churchyards as well as cemeteries. Any ground added to a churchyard was defined in the Bill as a cemetery; and, therefore, when the Bill provided that the cemetery authorities should not apply to the Bishop for the consecration of the ground, it amounted to this—that the clergyman and churchwardens of a parish would not be able to obtain the consecration of a parochial burial ground. The Burial Fee Committee had not gone so far as this, though it had, indeed, regarded the matter from a partizan point of view.

**Sir ALEXANDER GORDON**: I rise to Order. I wish to know whether it is in Order for the hon. Gentleman to impute to any Committee of this House that they have acted partially or in a partizan spirit? As Chairman of the Committee, I deny altogether that we acted partially.

**Mr. SPEAKER**: The hon. Member has made the statement upon his own responsibility, and I did not feel called upon to interfere.

Mr. STANLEY LEIGHTON said, he would prove to the House and to his hon. and gallant Friend that the assertion he had made was correct. The Report of the Committee to which he had referred was adopted by the vote of a Member who was fetched from Ireland, and who had not attended a single previous Sitting, and who was instructed how to vote by the hon. Member for Bradford (Mr. Illingworth).

Mr. SPEAKER: I must remind the hon. Member that he must apply himself to the Question before the House.

Mr. STANLEY LEIGHTON said, he had thought that the Report of the Committee was not wholly irrelevant to the subject of the Bill. The Bill was supported on the ground that it would get rid of fees; but it would in reality increase them, fees being very seldom charged under the present system for the burial of the poor in parish churchyards, and what fees were charged were insignificant compared with the fees in cemeteries. The Bill was objectionable both from the Churchman's and the ratepayer's point of view, for the new cemetery authorities could not raise the necessary funds except from fees or from the rates. Thus the Bill was both an injury to the ratepayers and an attack on the Church.

Sir ALEXANDER GORDON said, the hon. Member for North Shropshire (Mr. Stanley Leighton) began his speech by remarking that partiality and partizanship had been shown by the Committee which sat last year. As Chairman of that Committee, he repudiated the idea, and denied *in toto* the accusation. The best proof he could give of that was the patience and toleration which the Members of the Committee showed to the obstruction and the partial conduct of the hon. Member himself, who endeavoured, by every means in his power, to obstruct and oppose their action. He wished, in reference to the Bill now before the House, to point out specially to Members of the Government a fact that was not generally known. The fees to parish ministers were only allowed when they were derived from immemorial custom. There was no law which originally enabled parish ministers to demand the fee; but the custom had become law, and in order to make it law it must be immemorial. In 1852 the first Burials Act was passed by a Conservative Government. It provided for the creation of parochial cemeteries in the place of churchyards which were become overcrowded. By that Act, which was introduced by the noble Lord (Lord John Manners) and Mr. Walpole, the Board which had purchased the land to make the burial ground was empowered to sell the exclusive right of burial in perpetuity, or for a limited time, and to charge a certain price to those who used the ground. While the Act was passing through Parliament a Proviso was added—he could not ascertain in which House, or by whom, to the effect that there should—

> "Be payable to the incumbent or minister of the parish out of the fees or payments to be paid in respect of any rights acquired under this enactment in the consecrated part of such burial ground [in lieu of the fees or sums which he would have been entitled to on the grant of the like rights in the burial ground of his parish] such fees or sums as shall be settled and fixed by the vestry."

That gave to the parish minister the right which had been given, for the first time, to Burial Boards to sell the right of burial. Under the plea that they had the like rights in their own parish churchyards, this Act of Parliament gave the ministers power to charge fees. He asked any hon. Member to point out a single case of a parish minister who ever had the right to sell any portion of his parish churchyard, either for temporary purposes or in perpetuity. Since that time the parish church ministers of the Church of England had been demanding these fees, and the amount that had gone into their pockets was almost incalculable. Fees of £4, £5, and £6 on a single interment went to the parish minister under that additional clause. They never received them before, and he hoped, when the Bill became law, that they would receive them no longer.

Mr. TOMLINSON said, that the disadvantage of the practice, which seemed to be becoming frequent, of introducing a Bill apparently framed with care, and then, when difficulties were pointed out, offering to omit some of the most essential parts, was strongly illustrated in the present instance. If this were simply a Bill for the purpose of providing a different mode of dealing with new cemeteries, he might not have opposed the second reading; but applying, as it did, to all consecrated cemeteries and also to churchyards, and also empowering any person, whatever views he might hold as to the proper mode of conducting a burial, to make use of chapels consecrated for the Services of a particular denomination, he felt it his duty to oppose it. The Home Secretary had admitted that one of the most essential parts of the Bill—that relating to the burial fees—was unworkable, and would require complete revision. He should have expected, therefore, that the right hon. and learned Gentleman would have suggested that the Bill should be withdrawn, and that if the Government thought any Bill was required to give further effect to the principles of the Act of 1880 they would bring it in upon their own responsibility. He could not help thinking that the Government, when that Act was passed, expected that it would be an end of the burial controversy; and that was borne out by some remarks of the Judge Advocate General (Mr. Osborne Morgan) at the time of moving the second reading of that Act.

The JUDGE ADVOCATE GENERAL (Mr. Osborne Morgan) said, he must apologize for not having been present during the first few speeches that had been made about this Bill. The fact was that an Irish Bill appeared as the first Order of the Day on the Notice Paper, and it had not struck him that any Irish Bill could be got rid of so speedily. He deeply regretted that the hon. Member for North Shropshire (Mr. Stanley Leighton) should have charged the Committee that had considered the question with partizanship. In his opinion, the proceedings of the Committee were as fair as they could be, and if any partizan spirit was exhibited by anyone it was by the hon. Member himself. The Committee thought that the payment of burial fees was a most objectionable mode of paying an incumbent. In some places the fee was £1, in others 2*s*., and in others—*e.g.*, the Diocese of Salisbury—no fee was exacted. A second objection was that there was no mode of enforcing the payment of disputed burial fees. Again, since the passing of the Burials Act of 1880 the incumbent received his fee, whether he performed the Service or not at a burial. Notwithstanding the partial settlement of the question effected by that Act, therefore, he held that it was his duty to support the present Bill. Though that Act created interchangeable rights between the Church and Dissenters, it did not make those rights co-extensive. Section 12 of the measure gave a clergyman an absolute right to read the Service of the Church of England in any part of the unconsecrated portion of a cemetery. He had, therefore, practical jurisdiction over the whole cemetery. But when they gave the right to the Nonconformist minister to go to the consecrated portion of the cemetery, the Service must be held at the grave, and he could not enter the mortuary chapel, even if it were snowing or raining at the time. This anomaly had, in some cases, resulted in the scandal of having two chapels, one labelled "Church" and the other "Dissent." This state of things Dissenters resented as a slur; the ratepayers resented it, because it imposed an unnecessary burden on the rates; and two or three Bishops had characterized it as a disgrace to the country. Until the right hon. Gentleman the Member for the University of Cambridge (Mr. Beresford Hope) threw the apple of discord into this debate, he understood the House to be unanimously in favour of reading the Bill a second time. ["No!"] Well, up to that time not a single Member had offered to move the rejection of the measure. He hoped that the House would now be allowed to go to a division, and he believed that most of the objections urged against the Bill could be fairly met when they came to deal with its details in Committee.

Sir R. ASSHETON CROSS said, that a good many on his side of the House thought that the Bill of 1880 was a very bad Bill; and he was very glad to find that even the right hon. and learned Gentleman (Mr. Osborne Morgan), although he might not share that opinion, at any rate considered that it was a very imperfect scheme. What they really wanted was that these matters should be settled—the House should not be troubled with questions of this kind from time to time. There might be some sentimental grievance to remove; but there certainly was not a practical one. In the large county he represented, he had never heard of a shadow of a grievance on the subject. The hon. Member for Merthyr (Mr. Richard) had stated that he (Sir R. Assheton Cross) had expressed great dissatisfaction at seeing different chapels in burial-places. That was true. He thought it a great pity to see such marks of difference in our public cemeteries. The late Government brought in a Bill to consolidate all the Burial Acts, and the notion at that time in their minds was that it would be a wise thing for all denominations to have Burial Services in their own chapels before coming to the cemetery, as the Roman Catholics had, so that all that would be wanted in the cemetery would be a shelter from the rain; but this attempt at legislation failed, and the Bill did not pass into law. He did not know whether he understood that the hon. Member for Merthyr proposed that the Bill should only apply to future cemeteries, or whether he wished that it should not apply in any places where there were already two chapels. With regard to the Amendments which it was suggested the hon. Member was prepared to accept if the Bill were read a second time, it was most inconvenient that such concessions should be made at this stage in order to secure votes. The proposition, whatever it was, should be clearly set before the House, and should be allowed to remain unaltered until they went into Committee. The clause in the Bill to which he chiefly objected was the one relating to fees, which would very prejudicially affect a large number of the clergymen of the Church of England. The vested rights of incumbents had been saved by the hon. Member; but this was a mistake which would be as fatal as that made in the Irish Church Act in this respect. The vested interest was not that of the incumbent, but of the parishioners. To his mind, the 7th clause was a matter of principle, and if it was left out of the Bill he should not object to the second reading. So long as such a clause was introduced into any Bill of the kind he should be bound in conscience to vote against it.

**MR. T. C. THOMPSON** said, that, if the right hon. Gentleman the Member for Cambridge University (Mr. Beresford Hope) went to a division, he should vote with him, though not exactly upon the same principle. He disapproved of the Bill, because it would, practically, put an end to consecration. Now, he believed that would be distasteful to a large class of the people. There was probably nothing more dear to the hearts of the members of the Church of England than the feeling that, when their time came, they would be laid by the side of those whom they had loved, in consecrated ground. But that feeling was not confined to members of the Church of England; for it was well known that it was shared by many without her pale. All had a right to be buried in the churchyard, and the law insured to all the use of what religious service they like. But before many years were over cemeteries must come into universal use, for the churchyards would be full; and the question now before the House was, how ceremonies in cemeteries were to be ordered? At present the cemeteries are divided into consecrated and unconsecrated parts. Those whose friends pay respect to consecration were buried in the one; those whose friends did not regard it might be buried in the other. It was simply a question of choice. But this Bill sought to do away with the separation—to allow consecration indeed, but to authorize also the burial of those whose friends did not like it, in consecrated ground, with alien rites. Nothing could be more liberal than the present system; nothing more likely to outrage feeling than what was proposed. For this reason he objected to the Bill. Objection had been taken to the double chapels at the entrance of cemeteries. It had been said that religious differences should end with the grave. If religious differences were a thing to be ashamed of, he would agree to that; but he believed that nothing had contributed so much to the welfare of man as religious differences. These chapels were a public symbol of that difference, and they marked how generations of men had devoted themselves earnestly to religious thought. England owed much of her prosperity to Dissent. Before Dissent our people were narrow-minded and intolerant; but Dissent had forced the examination of religious questions. Though at no other time were there more religious sects than now in England, so never was she a more religious nation than now. There was no opinion which he deprecated more than that one religion was raised by the depreciation of another. The Church of England was raised in tone by raising the tone of Dissent, and Dissent by raising the tone of the Church of England. There was room and work for all, and these Sister Churches had one common end in view. One other point in the Bill to which he objected was that with regard to fees. He would do away with these fees altogether. There were no fees on admission by baptism into the Church; why should there be for the interment of the dead? But it had been said that the money was needed; that it was the means of living of the clergyman. In his opinion, that argument should not prevail. The Church of England, the Church of the aristocracy and of the wealthy, should be ashamed to use such an argument. She ought not to be heard complaining of want of funds. From what he had seen and heard of Dissent, he believed that the members of those Churches were always most ready to provide for every spiritual want for their people. Surely the Church of England should have no hesitation in doing the same. Again, then, he urged that each religious body should be protected in the use, in their own way, of a chosen portion of the common cemetery, and allowed to use its own rites exclusively therein.

Mr. O'DONNELL said, he thought that, with regard to the payment of fees, there would be conscientious objection from that side of the House; but, under the cloak of a Bill for amending fees and other details, they had been treated to a whole series of enactments for secularizing and Atheizing the cemeteries of the country. This was only another chapter in that scheme of which the Atheistic Affirmation Bill formed part. It seemed to him that the venerable name of Nonconformist had been utilized somewhat indiscriminately of late. If there was any attack to be made, they would always find, if they looked carefully enough, that a Nonconformist was at the bottom of it. It was one thing to relieve the grievances of the Nonconformists, and quite another thing to disregard the religious convictions of everyone else in doing so. The general principle of the Bill was to secularize burials in this country. If the Nonconformists did not want a consecrated cemetery, let them have an unconsecrated one and welcome; but Clause 4 said that the cemetery authority should not divide the ground into consecrated and unconsecrated parts, nor permit the erection of any boundary mark. What was there in the Nonconformist conscience which required that no such boundary should be erected? It was an intolerable interference with the religious liberty of other people to tell them that because Nonconformists did not believe in religious authority nobody else should be allowed to believe in it. It seemed to him that the new class of Liberals were very like the old class of persecutors. The clause also provided that the cemetery authority should not apply to the Bishop for consecration of a portion of the ground. But the Bishop might of his own free will come down and consecrate such portion. He thought the encroachments of the Episcopate were regarded with suspicion by the Nonconformists; but that did not appear to be the case from this Bill. But, notwithstanding this power given to the Bishop, a subsequent clause said that the ground, when consecrated, might be used otherwise than for burials according to the rites of the Church. In fact, the authors of the Bill invited the Bishop to consecrate on the understanding that no attention was to be paid to the consecration when that had been done. The provision as to chapels was no better. He failed to see why he should be asked, as a Member of the Imperial Parliament, although not a member of the Church of England himself, to make that Church a special mark for the persecution of all the world besides. Clause 8 provided that the cemetery authority might appoint persons to officiate, but that no person was to have an exclusive right to officiate. What was the use of an appointment of chaplain made under such conditions?

Mr. SPEAKER interposed, and said, the House was now engaged in considering the principles of the Bill on the second reading.

Mr. O'DONNELL said, that there were five or six different principles introduced into this Bill; and he should be obliged if any Member would show what was the principle or the philosophy in it, unless it was the avowed truth and the avowed philosophy of secularization and Atheism. Clause 12 seemed to be directed against the religious convictions of the poor, and, in his opinion, ought to be scouted by every man of generous feeling in the whole community. Under existing Acts paupers of any religious denomination could be buried in conformity with their religious convictions;

but Clause 12 of this Bill provided that so much of any Act relating to paupers or pauper lunatics as authorized burial in consecrated ground should be constructed as applicable to their burial in unconsecrated ground. That was to say, that those poor creatures, who were, of all others, entitled to their sympathy and consideration, were to receive the burial of a dog. Such was the measure which the Home Secretary thought ought to be passed without discussion. The Bill had come upon the House by surprise, for it was anticipated that the afternoon would have been occupied by the discussion of the measure that preceded it on the Paper. He was satisfied that the country at large had not the slightest suspicion of the discreditable infraction of every human right that would be perpetrated by this Bill. He, therefore, begged to move the adjournment of the debate. He thought the longer the debate was adjourned, and the more thoroughly the country understood the sort of legislation after death which this Liberal Government was preparing for them, the more strongly would they express their opinion upon it.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. O'Donnell.*)

Sir WILLIAM HARCOURT said, the discussion on this Bill had certainly taken a singular course. The Bill was introduced in a very moderate speech by his hon. Friend the Member for Merthyr (Mr. Richard), and he (Sir William Harcourt) waited to hear what would be said against it. But it was intimated to him by the right hon. Member for South-West Lancashire (Sir R. Assheton Cross), who, with several of his Colleagues, sat upon the Front Opposition Bench, that he would rather hear what the Government had to say on the subject. He accordingly rose and gave the reasons why he thought the Bill, in its general principles, ought to be supported. There was a consultation on the Front Bench opposite, and then the hon. Member for Stafford (Mr. Salt), who, he believed, very much enjoyed the confidence of hon. Gentlemen opposite, especially on ecclesiastical questions, was instructed to get up to say he had no objection to offer to the second reading. The debate then went on, apparently in a very reasonable and very conciliatory spirit, so far as hon. Gentlemen opposite were concerned.

Mr. WARTON rose to Order, and asked whether the right hon. and learned Gentleman had any right to say that an hon. Member was instructed by the Front Opposition Bench to get up and say anything? How did the right hon. and learned Gentleman know what took place at a consultation of the Front Opposition Bench? If he did, it was a breach of confidence to state it; if he did not, it was imagination.

Mr. SPEAKER said, that the right hon. and learned Gentleman was perfectly in Order.

Sir WILLIAM HARCOURT said, he was quite willing to withdraw any word that might be objectionable to the hon. and learned Member for Bridport. At all events, the hon. Member for Stafford did make that statement. But at a later stage came posting down the right hon. Member for Cambridge University (Mr. Beresford Hope), and, as might be expected from him on any measure for the extension of religious liberty, he thought it right to appear surprised at the measure being supported by the leading Gentlemen on the Opposition Bench, and to rise and denounce the Bill, and to move its rejection. So the debate went on, and then the hon. Member who had just moved the adjournment of the debate denounced in very violent language a measure which seemed to hon. Gentlemen on both sides of the House, at an earlier stage of the debate, to be a very moderate and reasonable proposal. ["Oh, oh!"] The hon. Gentleman who had now taken another view of the case did not hear the Bill introduced, and did not hear the manner in which it was supported by hon. Members on the Opposition side of the House. It did not seem to him (Sir William Harcourt) to be a proper course now to adjourn the debate. It should be stated on what grounds the Bill was opposed. As he had said, the proposals of the Bill were admitted by hon. Members opposite to be moderate in character.

Lord RANDOLPH CHURCHILL reminded the right hon. and learned Gentleman that the Question before the House was a Motion for the adjournment of the debate.

Sir WILLIAM HARCOURT said, the hon. Member who moved the adjournment had himself entered on a discussion of the Bill. He should oppose the Motion, as he thought it most unreasonable.

Mr. DALY said, the Home Secretary had described this Bill as a moderate one. He, on the contrary, thought it an aggressive Bill, and one that pressed hardly, not only on the Church of England, but also on the religion which he himself professed. He desired that the House and the country should have an opportunity of considering the Bill. Though the Bill did not refer to Ireland or Scotland, yet there were 1,000,000 of Irish Roman Catholics in this country who would be affected by it. This Bill was simply another instance of the aggressive policy of the Nonconformist Body in England.

Mr. SPEAKER reminded the hon. Member that he must confine himself to the Question of the Motion for the adjournment of the debate.

Mr. DALY said, he was merely following the example set him by the Home Secretary; but he supposed that what was but choler in the captain was blasphemy in the private soldier. While, however, submitting to the ruling of the Chair, he felt bound to say that this was a Bill that ought not to be smuggled through the House. Its issues were so important that it ought to have full and fair discussion, and the Government ought not to force on the discussion of such a Bill on a Wednesday afternoon. In addition to the many mistakes already made by the Government during the present Session, they were committing another in attempting to press on a Bill which seriously affected the susceptibilities of their country, and in not accepting the Motion for Adjournment. As a Catholic, and in the name of 1,000,000 of his poor co-religionists, he protested against this measure; and he should, therefore, support the Motion for the Adjournment.

Mr. ILLINGWORTH said, he trusted the Motion for Adjournment would be withdrawn, as it prevented the removal of the misconception of the Bill presented by the hon. Member for Dungarvan (Mr. O'Donnell) in his impromptu speech. It was true the hon. Member for Merthyr (Mr. Richard) had no suspicion that morning that the Bill could by any possibility come on; but there was so much unanimity in the early part of the evening upon the Bill that his hon. Friend was led to hope that the measure would be allowed to pass the second reading. He should himself consider a victory on second reading to be dearly won if the Bill contained any provisions to which grave objections could be taken in regard to the just claims of any denomination. It was evident that the hon. Member for Dungarvan had not read the Bill, and his arguments could be easily answered; at any rate, the Bill might be discussed for another hour.

Lord RANDOLPH CHURCHILL said, he seriously hoped the hon. Member for Dungarvan (Mr. O'Donnell) would not withdraw his Motion, and he would point out that it was quite competent to the House to discuss the Motion for Adjournment; and, if it was not agreed to, the House could then resume the discussion of the Bill. He himself had several comments to make with respect to this measure as to its history and its law; and he should be glad to make them, if the House would allow him, whenever the debate was resumed. There was one matter which he had several times had occasion to comment on before, and that was the extraordinary conduct of the two Front Benches. The House was accustomed to look for advice and guidance on occasions of this kind to the occupants of those Benches. The Home Secretary had spent, including broken intervals, about three-quarters of an hour in the House that afternoon.

Sir WILLIAM HARCOURT: I beg pardon. I was in the House for two hours before the noble Lord came.

Lord RANDOLPH CHURCHILL: Before any discussion had taken place on the Bill, and before the right hon. and learned Gentleman could have learned the opinions of the House upon it, he rose and gave the opinion of the Government on the measure. He then took himself off, and, by the merest chance in the world, he only arrived back in time to hear the adjournment moved. He (Lord Randolph Churchill) maintained that that was anything but a proper and respectful attitude on the part of a Minister when an important Bill was before the House. But the conduct of the right hon. and learned Gentleman was far transcended by that of his Colleague, the Judge Advocate General. What did he do? He did not take the trouble to come down to the House until half-past 2 or 3 o'clock. He then sauntered into the House, delivered a speech, and, having done so, he immediately took himself off again, and did not come into the House again until after the adjournment of the House had been moved. He wanted to know whether that was the proper way for Government to take part in the discussion of an important Bill? Then as to the conduct of the Front Opposition Bench. He thought that under the circumstances it was absolutely impossible for hon. Members on that side of the House to know what vote they were to give. It was very necessary that there should be an adjournment, to enable Gentlemen on the Front Opposition Bench to take their usual time to make up their minds. The hon. Member for Stafford (Mr. Salt) got up prematurely and in a hurry—a hurry which he (Lord Randolph Churchill) had before had reason to regret—and, on the part of the occupants of that Bench, accepted the Bill. No sooner had he done so, than down came the right hon. Gentleman the Member for Cambridge University (Mr. Beresford Hope) and moved the rejection of the Bill, and denounced it in very proper terms. How were hon. Members on that side, how were the Irish Party to know how to vote, when the House had such a difference of authority on the subject of burials? Under all the circumstances of the case, and remembering that the bulk of Members were not prepared for the Bill coming on, and had not had an opportunity of discovering the insidious character of the Bill, he should support the Motion for the adjournment of the debate.

The JUDGE ADVOCATE GENERAL (Mr. Osborne Morgan) remarked that he had been in the House that day long before the arrival of the noble Lord, and had heard every speech delivered in the debate since that time, except part of that of the hon. Member for Dungarvan (Mr. O'Donnell).

Mr. HICKS said, he thought that the House should agree to the Motion for Adjournment, because it was impossible for hon. Members to make themselves acquainted with the details of all these Bills before they came before the House. Without question, a full debate was necessary on this Bill. It seemed to him that under the guise of religion and toleration an attempt was being made to pass a measure which was both irreligious and intolerant, as had been so clearly stated by the hon. Member for Dungarvan. He should support the Amendment for the same reasons that the Home Secretary objected to it.

Mr. TATTON EGERTON said, he should also support the Motion for the adjournment of the debate. He denied that there was an unanimity of feeling on the Conservative Benches in favour of the Bill.

Mr. MONK hoped that the proposal for an adjournment would be withdrawn.

Mr. R. H. PAGET thought the majority of the House was not prepared to discuss a Bill which actually involved part of the question of disendowment. A division taken in a thin House would have no real effect in deciding the question.

Colonel KING-HARMAN said, the Conservative Members had been taken aback by what had occurred. In the first place, they expected to have been called upon to discuss two Irish Bills, which preceded the present Bill upon the Orders of the Day; and, in the second place, even if they had been prepared to discuss the Bill of the hon. Member for Merthyr, he had since so modified it that it was now entirely different from the Bill they received in the morning, and he thought they should not agree to its second reading without full discussion. Hon. Members did not know what had been promised in the way of Amendments to the Bill in Committee.

Mr. GORST said, that no one had anticipated that this Bill would come under discussion this afternoon, and that was the explanation of the asserted unanimity which prevailed in its favour at the beginning of the Sitting; in fact, the debate had proceeded for a long time when only half-a-dozen Members had been present. There were scarcely any Members of the Government or of the leading Members of the Opposition present; and certainly a large number of hon. Members who would desire to take part in the debate were absent. He had no desire to discuss the principle of the Bill at that moment; but he believed that he should be in Order in merely alluding to the contents of the measure. The House could never proceed too cautiously when it was asked to assent to the wholesale repeal of Acts of Parliament; and, certainly, before it passed a repealing Schedule like that attached to this Bill, it was entitled to have the assistance and advice of the Law Officers of the Crown, who were not then present. In the absence of the leading Members of the Government and of the Opposition, hon. Members were, practically, like sheep without a shepherd. He was, therefore, convinced that the proposal of the hon. Member for Dungarvan (Mr. O'Donnell) to adjourn the debate was both a sensible and a reasonable one.

Sir JOHN R. MOWBRAY said, he thought that a good case had been made out for the adjournment of the debate. The Motion for the second reading of the Bill had come on unexpectedly; and, from what he had learnt since he had entered the House, it was now proposed to amend the measure in such a way as to entirely change its character, and the House ought to have an opportunity of thoroughly understanding what the amended Bill would be before they were asked to read it a second time.

Mr. RICHARD said, he had not withdrawn any portion of the Bill; but only said he would consider in a conciliatory spirit any Amendments which might be suggested.

Mr. MACARTNEY said, the Bill had come upon the House somewhat unexpectedly, as several Orders preceded it on the Paper. Consequently, many hon. Members who had strong opinions upon the measure were not in their places; and the debate ought, under such circumstances, to be adjourned.

Mr. MORGAN LLOYD begged the House to come to a decision upon the Question of Adjournment, as there was really nothing more to be said either for or against it. He objected to the time of the House being wasted in discussing the adjournment, instead of going on with the debate upon the Main Question.

Mr. THOMAS COLLINS assured the hon. Member that there was a great deal more to be said in favour of the adjournment. He had come down to the House with the object of discussing the first Order of the Day; but he could not help feeling, after what had fallen from the hon. Member for Merthyr Tydvil, that the debate on the present Bill ought to be adjourned. Attached to the Bill there was what was called a Memorandum, which purported to explain the meaning and objects of the Bill. This was a comparatively new practice—at any rate, it did not prevail in former days, when he had the honour of a seat in Parliament. He did not object to these Memoranda provided they corresponded with the Bill itself. But it was possible that the Memorandum might contain a little colouring, which would mislead those who had not studied the Bill itself. He would point out the differences——

Mr. SPEAKER: The hon. Member is indirectly debating the Bill itself.

Mr. THOMAS COLLINS: No, Sir; I was debating the Memorandum.

Mr. SPEAKER: I must call on the hon. Member to confine himself to the Question of the Adjournment.

Mr. THOMAS COLLINS said, that he was endeavouring to show that as in this case the Memorandum did not correspond with the Bill, that constituted an argument in favour of the adjournment. For that reason, and also because it was impossible to have a satisfactory discussion of the merits of the Bill at that hour, he should vote for the adjournment of the debate.

Mr. PELL said, he had read the Bill, and was paralyzed when he came to the Schedule of Acts which it proposed to repeal. The Bill dealt with matters in which hon. Members were interested only after their death. He suggested that the debate should be adjourned, so as to enable hon. Members to take the opinion of their executors upon the Bill.

Mr. JOSEPH COWEN, believing it was useless to prolong this discussion, expressed a hope that the division on the Motion for Adjournment might be taken at once. If that Motion were defeated they might at once proceed to discuss the merits of the Bill.

Sir JOSEPH M'KENNA said, he and other hon. Members had come down to the House without the slightest expectation that the Bill would be brought forward. He trusted that the Motion for the Adjournment would be agreed to without a division.

Question put.

The House *divided*:—Ayes 121; Noes 150: Majority 29.—(Div. List, No. 71.)

Main Question again proposed.

Mr. ILLINGWORTH said, the hon. Member for Dungarvan (Mr. O'Donnell) was mistaken as to the effect of the Bill on pauper interments. The alteration proposed in the Bill was for the purpose of giving absolute freedom to the friends of paupers and poor persons to have interments made in consecrated or unconsecrated ground. The object of the measure, as a whole, was to make more symmetrical and complete, and more in harmony with the necessities of the case, the legislation of 1880. It was intended to remove the last vestige of civil disabilities in the case of public burial grounds. The late Home Secretary asked why could not these things be settled all at once? Why was Parliament troubled with them over and over again? The answer was plain. It was because those who had been asking for justice had been obliged to content themselves with a miserable instalment of justice. An impression seemed to prevail that there was some innovation in this measure compared with the Act of 1880. He wished to assure the House that it contained precisely the same principle which received the sanction of Parliament in that measure. Among the witnesses who appeared before the Committee to which reference had been made was a Catholic priest, who not only strongly supported the Bill, but in a correspondence with him went even further, and expressed a hope that the Church of England would be disestablished. That priest was, no doubt, a better representative of Roman Catholic opinion on this subject than the hon. Member for Dungarvan. The Bill would give to Catholics as complete freedom as would be enjoyed by any other class of Her Majesty's subjects. Hon. Members who were so sensitive on the question of considerations should bear in mind this fact—that the Act of 1880 allowed Nonconformists to go into the consecrated churchyards of the country; and this Bill only proposed to do that which the great majority of the people wanted—namely, to remove the last vestige of civil disability connected with our public burial grounds. The Bill put no restriction whatever upon consecration; but it left it to the option of those who attached value to it to see to the carrying out of the Act. But there could be no line drawn between the consecrated and the unconsecrated ground. In conclusion, he maintained that the distinction between consecrated and unconsecrated ground was already practically abolished, and repelled the insinuation of an hon. Member opposite—namely, that the Bill was intended for the benefit of Atheists.

Sir JOHN R. MOWBRAY said, he regretted that the hon. Member had not thought fit to give an explanation as to how the House was to deal with the Bill, whether, as explained by the hon. Member for Merthyr (Mr. Richard), or as it was printed, with the obnoxious provision in relation to churchyards still unaltered. He wished to know whether the promoters of the Act of 1880 no longer looked upon it as a final settlement of the Burial Question, and whether, treating it as a "miserable instalment," they hoped to re-open that question? There was, however, no reason for re-opening it, because there was no longer any grievance. The present Bill would inflict injury on the ministers of the Church of England, because it would take away from them the pecuniary rights reserved to them in the Act of 1880; and he wanted to know why so obnoxious a provision should be inserted as that which proposed that any future addition to a churchyard should be placed under the control of a cemetery authority? As to the consecrated chapels, he would ask who wanted them? It was the universal practice to have in cemeteries one consecrated chapel for the use of members of the Church of England, and another for the use of other religious denominations. Why take away from the Church of England that which was built for it, consecrated for it, and decorated with a special view to the performance of funeral rites? To take these chapels away would be to subject the Church of England to gratuitous and unnecessary degradation. He should certainly support his right hon. Friend the Member for Cambridge University in the division.

Mr. LYULPH STANLEY said, hon. Members on the other side of the House complained that the Bill would bring about the intrusion of Dissenters in chapels built and decorated by Churchmen. Well, for the future, did not these hon. Members think it desirable that the cemetery authorities should have power to lay out their cemeteries in such a way that all buildings might be used by all persons? Unless some legislation of this kind took place to permit the cemetery authorities to provide a chapel or building of this kind, it might be impossible for the authorities to provide Nonconformists with shelter from the weather in cemeteries in case there were not two chapels. It was admitted that this was an unsatisfactory state of things; and many eminent authorities, even Bishops in the Established Church, were in favour of the necessity for the two buildings being done away with. With regard to the question of fees, he pointed out that the Bill respected the existing rights of incumbents, and only proposed that future incumbents should not be paid burial fees unless they should actually discharge the burial duties. It appeared to him that the proposal that the person who did the work in the cemetery should be the person to receive payment was a very moderate one. In conclusion, he stated that the Act of 1880 was not admitted by its chief supporters to be a final settlement of the Burial Question.

Mr. J. G. HUBBARD said, he held that the purpose of the measure was distinctly to narrow and restrain religious liberty. There was not in it one enacting clause which did not contain the word "not;" and every one of these "nots" was a restraint upon religious liberty. In their resistance to the Bill members of the Church of England did not stand alone, for they had on their side those who believed with them in the Divine origin of the Church, and who, therefore, cherished their consecrated buildings and the religious Services for which they were provided. The measure was one of absolute intolerance. Much had been said about the scandal caused by the presence of two chapels in one cemetery. But how many churches and chapels of various denominations were to be found in even one London street? Would the House be told that their presence so close together was a scandal? Mourners at a funeral often partook of the Holy Sacrament in the chapel, which must, therefore, contain an altar and other necessary accessories. Was it possible that people who were accustomed to chapels so consecrated and utilized could be satisfied to see them open to the emissaries of the Hall of Science? The movement of which this Bill was part was a movement directed to the destruction of the idea of consecration. Its supporters desired to degrade the elevating worships to which consecrated buildings were conducive to the level of those who held that religion was a matter of man's invention, which could be subjected to change at any time. The question of fees was not a religious question at all. If men were not satisfied with having obtained religious liberty, and intended to struggle for what they chose to call religious equality, they would have to struggle for many and many a-year. In fact, religious equality, in the strict sense of the expression, was incompatible with the existence of a sovereignty which could only be exercised by a member of the Church of England.

And it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

## *MOTIONS.*

—∽:0:∽—

### LOCAL GOVERNMENT PROVISIONAL ORDERS (POOR LAW) BILL.

On Motion of Mr. Hibbert, Bill to confirm certain Orders of the Local Government Board under the provisions of The Divided Parishes and Poor Law Amendment Act, 1876, as amended and extended by The Poor Law Act, 1879, and The Divided Parishes and Poor Law Amendment Act, 1882, relating to the parishes of Brafield-on-the-Green, Brentor, Cadoxton-juxta-Barry, Cairau, Clungunford, Cogenhoe or Cooknoe, Courteenhall, Cwmcarvan, Great Houghton, Hope Mansell, Hopton Castle, Horton, Lamerton, Lew-Trenchard, Little Houghton, Llandough, Llangaffo, Llangeinwen, Lower Slaughter, Merthyrdovan, Michaelstone-super-Ely, Mitchel-Troy, Newington-Bagpath, Newland, Owlpen, Pennarth, Peterstone-super-Ely, Peter-Tavy, Road or Rode, Ruardean, Saint Bride-super-Ely, Saint Fagans, Tavistock, Thrushelton, Upper Slaughter, Walford, Whitchurch and Wootton; to the townships of Brimington, Clay-lane, Coal-Aston, Morton, North Wingfield, Pilsley, Tapton, Unstone, and Woodthorpe; and to the tything of Lea-Bailey, *ordered* to be brought in by Mr. Hibbert and Sir Charles Dilke.

Bill *presented,* and read the first time. [Bill 149.]

### LOCAL GOVERNMENT AREAS BILL.

On Motion of Mr. Albert Grey, Bill for the alteration of the Areas of Local Government in certain cases, and for the re-arrangement of Boundaries, *ordered* to be brought in by Mr. Albert Grey, Mr. Pell, Mr. James Howard, and Mr. Yorke.

Bill *presented,* and read the first time. [Bill 151.]

### SETTLEMENT AND REMOVAL LAW AMENDMENT BILL.

On Motion of Sir Hervey Bruce, Bill to amend the Law of Settlement and Removal, *ordered* to be brought in by Sir Hervey Bruce, Mr. Pell, Mr. Corry, Mr. Lewis, and Mr. O'Sullivan.

Bill *presented*, and read the first time. [Bill 152.]

House adjourned at ten minutes before Six o'clock.

## HOUSE OF LORDS,

*Thursday*, 26*th April*, 1883.

MINUTES.]—Public Bills—*Report*—Medical Act Amendment (36-49).

*Third Reading*—Elementary Education Provisional Orders Confirmation (Cummersdale, &c.) * (23), and *passed*.

*Royal Assent*—Army Annual [46 *Vict.* c. 6]; Bills of Sale (Ireland) Act (1879) Amendment [46 *Vict.* c. 7]; Land Drainage Provisional Order [46 *Vict.* c. ii].

### LAND LAW (IRELAND)—THE SELECT COMMITTEE.

#### MOTION TO SUMMON A WITNESS.

*Moved*, "That Romney Foley, Esquire, Q.C., Sub-commissioner of the Irish Land Commission, do attend the service of the House on Friday, the 4th of May next, at Twelve o'clock, in order to his being examined as a witness before the Select Committee on Land Law (Ireland)."—(*The Earl Cairns.*)

Lord CARLINGFORD (Lord President of the Council) said, he was not able to allow this Motion to pass as a matter of form, because, while the Government did not intend to oppose it, they could not but regret that the Committee of their Lordships' House had not complied with the request of the Land Commissioners, to the effect that they should not withdraw any of the Assistant Commissioners from the performance of their duties. If that were done, it would be a serious interruption to the business of the Land Courts, which he believed all parties, whatever their views of the Land Act might be, desired should be expedited as much as possible. The Government, therefore, regretted that the representations contained in the letter which had been communicated to them had not been acceded to. By the terms of that letter, the Committee could obtain any further information which they might desire, without calling over any of the Sub-Commissioners from the performance of their duties. As the noble and learned Earl opposite (Earl Cairns) knew, one of those Assistant Commissioners had already been summoned, and had attended, for the reason that at that time the Land Courts were not sitting, and, therefore, inconvenience did not arise. The present application was, of course, a moderate one, because it was confined to a single Assistant Commissioner; but he (Lord Carlingford) was bound to say that if these applications were enlarged it would constitute a serious interruption to the business of the Courts.

Earl CAIRNS said, the Committee appointed by their Lordships last year found that they were not able to complete the business referred to them without calling any of the Sub-Commissioners to give evidence; and they now, therefore, suggested that the present Motion should be brought forward, and that Mr. Foley should be summoned for that purpose. Under the circumstances, he was surprised the noble Lord should feel any difficulty on the score of the Sub-Commissioner being withdrawn from his duties. One had already been examined; and he could only say that, looking to the work the Committee had before them, it was absolutely necessary that one or more of these Sub-Commissioners should be called. As regards the time, it was not at all likely that any one of them would be detained for more than a day; and, besides, it had not infrequently happened that a Sub-Commissioners' Court had sat with two members instead of the full number of three. The Committee would endeavour to call as few Assistant Commissioners as possible, and he hoped no serious inconvenience would arise.

On question, *agreed to.*

### MEDICAL ACT AMENDMENT BILL.

(*The Lord President.*)

#### (No. 36.) REPORT OF AMENDMENTS.

Order of the Day for the Report of Amendments to be received, read.

*Moved*, "That the said Report be now received."—(*The Lord President.*)

Earl GRANVILLE said, he wished to draw attention to what had been said by the noble Marquess opposite the Chancellor of the University of London (the Marquess of Salisbury) on the last stage of the Bill, with regard to the University of Oxford.

THE MARQUESS OF SALISBURY: The noble Earl calls me the Chancellor of the University of London. I have not yet that honour.

EARL GRANVILLE said, he was glad to withdraw the observation. He had received a letter from Professor Acland, with regard to the University of Oxford, which he wished to read to the House—

> "My Lord,—I venture, with reference to the relation of Oxford to the Profession of Medicine, to which allusion was lately made in the House of Lords, to state this much to your Lordship. For medical education and for the advancement of medicine there are three quite separate parts—1, general philosophical education, as represented by the old *Literæ Humaniores;* 2, the study of the natural sciences which lie at the foundation of all knowledge of diseases, whether in man or animals; and, 3, the actual study of disease itself. Formerly Oxford could only attempt the first. In the last 30 years the University has laid the foundation of complete theoretical and practical study of the second, or of biological science considered in the widest aspect; and it leaves only at present the study of disease to the vast opportunities of the Metropolitan hospitals and schools. I hope and believe, therefore, that Oxford will, in the future, supply highly trained and scientific youths to the great clinical schools in a way and to an extent she has never done before; and that, in the view of national education for the Profession of Medicine and of present changes, the influence of the University will be of great public advantage, and greater than she has ever had before.—I have, &c., H. M. ACLAND."

He had not a word to say against any statement in that letter, although he still adhered to the statement which he made on a former occasion, as to the general pre-eminence of the London University with regard to medical schools.

THE MARQUESS OF SALISBURY said, he was not disposed to dispute the claims of the London University in the matter referred to by the noble Earl opposite (Earl Granville). He believed it made successful exertions in the promotion of natural science.

Motion *agreed to.*

Amendments *reported* accordingly.

*Medical Boards.*

Clause 9 (Establishment of Medical Boards).

*Earl Granville*

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, he desired to submit an Amendment to the House relating to the English Medical Board. When the Bill was discussed on the last occasion, in Committee, he threw out a suggestion which was not very well received, especially by the noble Marquess opposite (the Marquess of Salisbury). He now made another proposal to the House—that the number of representatives given by the Bill, as it stood, to the five Universities of England should not be altered; but that the two great Medical Colleges, the Royal College of Physicians and the Royal College of Surgeons, should receive an addition of two members, being one for each. He had found great difficulty in understanding the enormous and vital importance that appeared to be attached by the medical authorities of the three countries to the exact numbers which they should have a right to return to those Medical Boards. He did not believe that the interests and views of one set of those bodies would be supreme and exclusive, merely because that set of authorities happened to have a majority, perhaps of one, on the Conjoint Board, because he considered that that Board would do its duty; nor did he believe that the interests and views of the other set of authorities would be sacrificed, merely because they happened to be in a minority, perhaps of one. However, after having given the best consideration in his power to the whole matter, he had come to the conclusion that there was sufficient reason for increasing by two, the number of representatives returned by the two principal Medical Corporations. Nothing could be of more importance, or more wholesome, than the influence of the Universities, and the Government desired that that influence should not suffer under this proposal. On the other hand, it was evident that, in this country, the lion's share of the duty of examining and licensing candidates for the Medical Profession fell to those two Corporations. That view had been pressed upon him in the strongest possible way by some of the most eminent—he might say the most illustrious—members of the Profession; it was the view of the Royal Commission presided over by his noble Friend behind him (the Earl of Camperdown); and there could be no doubt that the part played by the two great Medical Corporations in respect to the examinations and licensing of candidates was out of all proportion greater than that by the Universities. He was glad to find that one of the Universities, the University of London, which examined the largest number of candidates, was satisfied with the proposal he had made; and he hoped that that might be the case with the others, especially those of Oxford and Cambridge. It was well, he thought, to remember that, while the high educational influence of the Universities was most important and essential, and would be exercised by the large number of members who would be returned by them to the Conjoint Board, yet the object of the Board was not to provide the highest possible standard for examination or education, inasmuch as it would have nothing to do with the honours of the Medical Profession, but would only be concerned with maintaining a sufficient standard, and a minimum qualification, for all the young men who were to be admitted to the right of practice; and the two great Medical Corporations, with their immense experience on that subject, should have the right, he thought, of full representation on the Medical Board for England.

*Moved,* in page 3, line 30, to leave out ("three") and insert ("four").—(*The Lord President.*)

The Marquess of SALISBURY said, that, in his opinion, the noble Lord the Lord President of the Council would have made his task much easier, and also that of the Universities, if he had arrived at this decision at an earlier period, and given those Bodies interested some Notice of what he was going to do. As the Amendment had only been put upon the Paper on the previous day, there had been no opportunity of ascertaining the opinion of the Universities; but, at the same time, as he understood the proposal, he was bound to say that in the absence of any information that they objected to it, he did not feel inclined to oppose it, at least at present. He should, however, have preferred that more consideration could have been given to the proposal, instead of its being thrown with that explosive suddenness on the House. With regard to the Apothecaries' Company, he might be allowed to say that its standard was not very high; while, with reference to Victoria University—though, no doubt, it had splendid prospects—it was still a baby, and it was a strange thing to give it equal privileges with those of the more ancient Universities. There was only one other point he would venture to protest against, and that was the attempt made by the noble Lord to enact by Act of Parliament that 10 and 7 should make 15. He (the Marquess of Salisbury) thought that was outside the power of Parliament altogether. Notwithstanding the additions which had been made to the Board the number of 15 still remained in the Bill.

The Earl of CAMPERDOWN said, he was glad to hear that the noble Marquess opposite (the Marquess of Salisbury) did not intend to oppose the Motion. The Commission were certainly of opinion that it was desirable to give due representation to the Royal Colleges of Physicians and Surgeons in England, as they had taken a far more prominent part than the corresponding Bodies in other divisions of the Kingdom. If a victim was to be offered up, he thought it should be the Apothecaries' Society of England. He was bound in fairness to state that that Society had no stronger claim to existence, in his opinion, and in that of the Commission generally, than the corresponding Society in Ireland which had already been disfranchised as far as the matter under discussion was concerned.

Viscount POWERSCOURT said, that the noble Lord the Lord President had said that the two Colleges of Surgeons and Physicians in England had the lion's share of the work; but he (Viscount Powerscourt) did not know that the two Colleges in Ireland had not a lion's share also. He thought it rather a misfortune that the representation of the two Colleges in England and Ireland should not be equal, or that the Government could not elect a Chairman themselves, who should have a casting vote.

Amendment *agreed to;* word *inserted* accordingly.

Lord CARLINGFORD (Lord President of the Council) said, he would admit the fairness of the criticism of the noble Marquess opposite (the Marquess of Salisbury) as to the matter of the 15. He would, therefore, propose in page 3, line 21, to leave out the word "fifteen," and insert the word "seventeen."

Amendment *agreed to;* word *inserted* accordingly.

THE EARL OF GALLOWAY, in moving the first of the four Amendments standing in his name, said, that they were practically one; but he wished to remind their Lordships that they were to the effect that the Medical Corporations of Scotland should have a majority of one over the Universities. The present representation was three to the Corporations, and two to the Universities; but it was now proposed by the Bill that the Universities should have eight members of the Board and the Medical Corporations three, and the latter Bodies thought their claims were being sacrificed. He thought, after what had fallen from the Lord President of the Council as to the Medical Corporations in England, their Lordships would not think it a very monstrous proposition if he suggested that the representation of the Universities of Scotland should be so constituted that there would only be a majority of one. His proposal was not to increase the number of members, but to add to the Corporations by substracting from the Universities. There was some difficulty in choosing which of the Corporations ought to get the advantage; but it had been deemed wise to add one to the Medical Corporations of Glasgow, and another to the College of Physicians in Edinburgh. It had been suggested to him that the University of St. Andrews had no claim whatever to be represented, and that Aberdeen University would be quite sufficiently represented by one member.

*Moved,* in page 4, line 5, to leave out ("Two") and insert ("One").—(*The Earl of Galloway.*)

THE DUKE OF RICHMOND AND GORDON said, he totally disagreed with this Amendment, on the ground that the University of Aberdeen was justly entitled to two members. He could not understand who could have told his noble Friend (the Earl of Galloway) that Aberdeen ought not to have two members; but it was evidently someone who had not been at sufficient pains to inform himself as to the facts. He should strongly object to the representation of that University being altered.

LORD BALFOUR said, he hoped that the Amendment would not be accepted. He thought the representation of the Universities and the Corporations, as it was provided by the Bill as it stood, could be defended on several grounds. It had been recommended by the Report of the Royal Commission that the Universities of Scotland should have preponderating representations in the Board in Scotland, on this ground, among others—that the Universities were teaching bodies, as well as merely examining bodies; while the Medical Corporations did nothing more for the medical students than examine them. Again, there had been complaints made against the action of some examining bodies in Scotland—it was not for him to say whether these charges were well or ill-founded—but if any charge had been made and brought home of improperly admitting students, it had certainly not been against the Universities, but at the door of the Corporations. As regarded the University of St. Andrew's, it seemed at present to be thought fair game for anyone to have a kick at. Their Lordships had heard something of another scheme by which it was threatened to be improved out of existence altogether. That made him all the more anxious that no change to its detriment should be introduced into this measure. He trusted the Amendment would not be accepted.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, he had nothing to add to his previous declaration on the subject. He could not admit for a moment that the Scotch Medical Corporations were, in any way, on a par, as regarded the part they played in medical education and examination, with the great Medical Corporations in this country.

Amendment *negatived.*

THE EARL OF GALLOWAY said, he would not move the remaining Amendments.

Amendments (by leave of the House) *withdrawn.*

On the Motion of The LORD PRESIDENT, the following Amendments made:—In page 3, line 31, leave out ("three") and insert ("four"); in page 5, line 12, after ("Council") insert (" or of the

Privy Council"); and in line 19, leave out ("are") and insert ("or the Privy Council are or is").

Clause, as amended, *agreed to.*

Clause 10 (Medical Board to regulate examinations subject to control of Medical Council and Privy Council).

On the Motion of The Lord BALFOUR, Amendment made in page 6, line 9, after ("examinations") by inserting ("in medicine, surgery, and midwifery").

Clause, as amended, *agreed to.*

Clause 20 (Medical Board to visit schools and examinations).

On the Motion of the LORD PRESIDENT, the following Amendment made:—In page 11, line 25, add at end of clause as a separate paragraph—

("Any revocation or alteration of a scheme in pursuance of this section shall not be of any validity until it has been approved by the Medical Council and confirmed by the Privy Council.")

Clause, as amended, *agreed to.*

Clause 25 (Power of Her Majesty in Council to define colonies and countries to which this part of the Act applies).

On the Motion of The LORD PRESIDENT, the following Amendment made:—In page 14, line 5, insert as a separate paragraph at end of clause—

("Her Majesty may from time to time revoke and renew any Order made in pursuance of this section; and on the revocation of such Order as respects any British possession or foreign country, such possession or foreign country shall cease to be a possession or country to which this part of this Act applies, without prejudice nevertheless to the right of any persons whose names have been already entered on the register.")

Clause, as amended, *agreed to.*

Clause 26 (Medical titles).

LORD ABERDARE, in moving, as an Amendment, to insert again the words struck out on a former occasion, making it lawful for any registered medical practitioner to use after his name the title of licentiate in medicine, surgery, and midwifery, or any letters indicative of such title, said, he regretted that he had not had an opportunity of discussing this matter with his noble Friend the Lord President. On the face of it nothing could be more modest than his proposal, which provided that those who had passed their examination and received a licence from the Board should be entitled to bear the title of "licentiate in surgery, medicine, and midwifery." He had great difficulty in understanding the manner in which this question of titles had been treated. He thought the great Medical Corporations had already sufficient forms, and that those who did not desire to enter them should be allowed to use the title of licentiate. The Amendment would apply to women as well as men, and it seemed so reasonable that he could scarcely think it would be opposed.

*Moved*, in page 14, line 19, at end of clause, to add—

("And it shall be lawful for any registered medical practitioner who has passed a final examination as in this Act mentioned, if he thinks fit to do so, to use after his name the title of licentiate in medicine, surgery, and midwifery, or any letters indicative of such title.")—(*The Lord Aberdare.*)

THE EARL OF CAMPERDOWN said, he regretted that he must object to the suggestion of his noble Friend (Lord Aberdare), because, either under Statute or Charter, there were already 62 or 63 medical titles, and he hoped that they were not going to add another to the list by Statute. The object of the new Board was not to confer titles; but to insure that there should be sufficient skill on the part of the person who was licensed; whereas the adoption of the Amendment would have the effect of diminishing the securities afforded by the Bill, with regard to the qualifications of those who assumed the title of licentiate. Besides, it would be open to anyone who had the licence to call themselves licentiate if they chose. In addition to that, the great Medical Corporations felt very acutely in this matter, and thought that the creation of another new title would interfere with and depreciate the value of those which they were now able to confer.

EARL CAIRNS said, he trusted the Amendment would not be accepted. The degrees of medicine were valuable titles—as valuable as any that were conferred. They were titles of honour, and it was right that certain bodies should have the power of examining and granting those degrees. He did not understand what object there was in trying, by this Bill, to interfere with the Corporations which now had power to confer medical titles.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, that although he was responsible for the insertion of the original clause, yet he saw good reasons for omitting the words in question; and, therefore, he was not prepared to accept the Amendment. Upon consideration, he thought it better not to create by the Bill a new statutory title which would rival the titles of the medical authorities. It must be remembered that the Bill proposed to utilize and adopt the existing medical licensing authorities. Nothing, he thought, ought to be done without the strongest necessity to interfere with those Bodies.

Amendment *negatived.*

Clause *agreed to.*

Clause 27 (Penalty on misuser of medical titles).

On the Motion of The LORD PRESIDENT, the following Amendments made:—In page 14, line 25, leave out ("aforesaid") and insert ("said appointed"); line 26, leave out ("for gain"); line 28, after ("surgery") insert ("for gain"); page 15, line 3, leave out ("aforesaid") and insert ("said appointed"); line 15, leave out ("aforesaid") and insert ("said appointed"); line 16, leave out ("for gain"); line 18, after ("surgery") insert ("for gain").

Clause 36 (Expenses of Act, and funds to meet such expenses).

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL), in moving the following Amendment:—In page 21, line 10, after ("Act") insert—

("And subject to the payment of the foregoing expenses in this Act described as the administrative expenses of each board,")

said he did so for the purpose of distinguishing between the fees necessary for the administrative expenses and those which would go to meet other expenses, such as museums, libraries, &c. He agreed that the students coming up from any University should only be liable to contribute to the administrative expenses.

Amendment *agreed to; words inserted* accordingly.

On the Motion of The LORD PRESIDENT, the following Amendment made:—In page 21, line 32, after ("such Council") insert ("or any Committee of the Council").

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL), in moving the following Amendment:—In page 22, line 24, insert as an indented paragraph—

("In estimating the amount of the fees to be charged by each medical board for its final examination, a distinction shall be made between so much of the fee as is leviable for the purpose of supplying funds for defraying the administrative expenses of the board and so much as is leviable for the purpose of defraying the expenses of the maintenance of museums and libraries; and the fees to be paid by University graduates or persons holding University certificates of having passed the examinations at their University qualifying for admission to the final examination of the board shall not exceed the portion of the fee leviable as aforesaid for the purpose of supplying funds for the administrative expenses of the board,")

said, he also proposed to amend the Amendment, by substituting for the word ("persons"), in line 8, the word ("undergraduates").

THE EARL OF MILLTOWN said, that "undergraduate" was a vague expression, which merely meant that a gentleman had passed his preliminary examination at a University. He proposed that "graduate in arts" should be the term substituted.

THE EARL OF CAMPERDOWN said, he considered that the Amendment as it would stand did not propose to give any unfair advantage to University undergraduates.

Amendment, as amended, *agreed to.*

Clause, as amended, *agreed to.*

Clause 40 (Legal status of Medical Board and Medical Council).

On the Motion of The LORD PRESIDENT, the following Amendments made:—In page 23, line 22, leave out ("or of a committee of a medical board"); lines 27 and 28, leave out ("or of a committee of a medical board"); lines 34 and 35, leave out ("or of a committee of a medical board"); page 24, lines 4 and 5, leave out ("or of any committee of a medical board").

Clause, as amended, *agreed to.*

Clause 41 (Approval and confirmation of schemes).

On the Motion of The LORD PRESIDENT, the following Amendment made:

—In page 25, line 34, insert at end of clause as a separate paragraph—

("Any revocation or alteration of or addition to a scheme is included under the word 'scheme' in this section.")

Clause, as amended, *agreed to.*

Clause 51 (Time of election of Medical Board).

On the Motion of The LORD PRESIDENT, the following Amendment made: —In page 30, line 22, leave out from the word ("in"), and insert—

("Following, that is to say, if it be an authority which before the passing of this Act returned a member to the General Medical Council, then in manner in which such authority was accustomed to return a member to such Council, but if it be not such an authority as lastly hereinbefore mentioned, it shall return a member or members to a medical board in manner directed by the Privy Council.")

Clause, as amended, *agreed to.*

Clause 53 (Rules for final examination).

On the Motion of The LORD PRESIDENT, the following Amendments made: —In page 32, line 30, leave out ("May") and insert ("August"); line 32, leave out ("its division") and insert ("the part of the United Kingdom to which such board belongs"); line 33, leave out ("its division") and insert ("the part of the United Kingdom to which such board belongs"); line 38, after ("schemes") insert ("comes or"); page 33, line 1, leave out ("September") and insert ("January"); line 2, leave out ("four") and insert ("five"); line 4, leave out ("on or"); line 5, leave out ("November") and insert ("March"), and leave out ("four") and insert ("five"); line 12, leave out ("March") and insert ("September").

Clause, as amended, *agreed to.*

Clause 54 (Continuation of old system of registration to the appointed day).

On the Motion of The LORD PRESIDENT, the following Amendment made: —In page 33, line 29, after ("same") insert ("before or").

Clause, as amended, *agreed to.*

Clause 55 (Transfer of funds of Branch Councils to Medical Boards).

THE EARL OF CAMPERDOWN said, it was necessary that some provision should be made for enabling the Medical Boards to defray necessary expenses in the interim before a medical fund could be formed. He therefore proposed, as an Amendment, to add the following Provisoes at end of clause:—

("Provided that the Medical Council shall, out of such funds (that is, the funds received from the branch councils), advance to each medical board such monies as shall be required to defray the expenses necessarily incurred before a medical fund can be formed.

("Provided also, that the Medical Council shall, when making such advances, be satisfied as to the terms and other conditions of repayment by the several medical boards.")

The object of the second Proviso was to prevent the Medical Board from being unnecessarily extravagant.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, that the Amendment was a very proper one, and he would, therefore, accept it.

Amendment *agreed to;* Provisoes *added* accordingly.

Clause, as amended, *agreed to.*

Clause 71 (Definitions).

On the Motion of The LORD PRESIDENT, the following Amendments made: —In page 37, line 24, leave out ("January") and insert ("June"); and in line 26, leave out ("January") and insert ("June").

Clause, as amended, *agreed to.*

*First Schedule.*

On the Motion of The LORD PRESIDENT, the following Amendments made; —In page 39, lines 2 and 3, leave out ("*and of Committees of Medical Board*"); line 24, leave out sub-section 3; and in line 30, leave out ("or committee of the board").

Schedule, as amended, *agreed to.*

Bill to be read 3ª *To-morrow,* and to be *printed* as amended. (No. 49).

House adjourned at a quarter before Six o'clock, till To-morrow, a quarter past Ten o'clock.

# HOUSE OF COMMONS,

*Thursday, 26th April,* 1883.

MINUTES.]—Select Committee—Canals, Mr. Harcourt *discharged,* Sir Henry Holland *added.*

Public Bills—*Ordered—First Reading*—Local Government (Ireland) Provisional Orders (Rathmines, &c.)* [153]; Parliamentary Registration (Ireland)* [155]; Poor Relief (Ireland) [154].

*Second Reading* — Parliamentary Oaths Act (1866) Amendment [89], [*Second Night*], *debate further adjourned;* Customs and Inland Revenue [140].

*Considered as amended—Third Reading*—Isle of Man (Harbours)* [101], and *passed.*

## *QUESTIONS.*

### EDUCATION DEPARTMENT—CARNARVON TRAINING COLLEGE.

Mr. H. H. FOWLER asked the Vice President of the Council of Education, Whether his attention has been called to the refusal of the Principal of the Carnarvon Training College to admit a student (who had completed his term of five years as a pupil teacher at the Conway National School) on the ground that he had been baptized by a Nonconformist Minister; whether the Carnarvon Training College received last year a grant from Government of £2,070 towards an expenditure of £2,688; and, whether the Committee of Council on Education intend to take any action in the matter?

Mr. MUNDELLA: Sir, my attention has been called to this case. It appears that a pupil teacher in a Church of England school at Conway, who had been confirmed by the Bishop of the diocese and was a communicant, was refused admission to the candidates' list of Carnarvon Training College because he had been baptized in infancy by a Nonconformist minister. These facts becoming known to the Education Department during my recent absence, a communication was at once addressed to the Governing Body of the College to ascertain whether the action of the Principal met their approval, to which they have replied that the Committee have unanimously decided that the pupil teacher in question is eligible for admission to the College. Although this is satisfactory so far as this pupil teacher is concerned, the correspondence of the Principal of Carnarvon Training College with the Vicar of Conway is of so extraordinary a character that he cannot be regarded as a fit person to superintend the training of teachers who will have to deal in a spirit of courtesy and tolerance with the children of parents of all denominations. This circumstance, taken in connection with the general results obtained in the College in recent years, necessitates the consideration of the question whether, without considerable changes, it should continue to receive annual grants. The figures quoted by the hon. Member as to the amount of annual grant for 1881 are correct. I think I may venture to express the belief that what has happened at Carnarvon Training College—which I know has caused much pain and regret to some of the managers—could not happen at any other Church of England Training College in receipt of annual grants.

### CRIME (IRELAND)—MURDER OF JOHN FLANAGAN.

Mr. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to the murder of John Flanagan by his son Hugh Flanagan, as reported in the "Daily Express" of 19th April; whether it is true that Hugh Flanagan had been in a lunatic asylum in Glasgow and was brought over to Ireland in charge of two warders and placed in a workhouse from which he took his discharge and returned home to his father; and, whether, if the facts are as stated, he will cause a communication to be made to the Scotch Lunacy Board with a view to the prevention of similar unfortunate occurrences in future?

Mr. TREVELYAN: Sir, I have seen the report referred to. It is the case that Hugh Flanagan was in a lunatic asylum in Glasgow, and was brought over to Ireland last December and placed in Ballyshannon workhouse, from which place he was removed by his father on the following day. The Local Government Board will ask to see the warrant of removal from Scotland, and make inquiry as to the circumstances connected with the removal. Until I have the facts fully before me, it is impossible for me to say whether there is any ground upon which I could address the Scotch Lunacy Board on the subject.

### POOR LAW (IRELAND)—RATHDRUM UNION—ELECTION OF A GUARDIAN.

MR. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been directed to the investigation held into the election of a Poor Law Guardian for the Killiskey Electoral Division of Rathdrum Union, as set forth in Parliamentary Paper, No. 17, of the present Session; whether he has observed that 47 invalid votes were put in by an ex-officio Guardian on behalf of a certain candidate, and received by the returning officer, the clerk of the Union; and, whether, as President of the Local Government Board in Ireland, he has taken or will take any steps to signify his sense of the conduct of these parties on the occasion?

MR. TREVELYAN: Sir, the circumstances are not quite correctly stated in this Question. It does not appear to be the case that 47 invalid votes were put in by an *ex-officio* Guardian; but 47 votes were erroneously recorded by the Returning Officer, as will be seen by a reference to page 32 of the Parliamentary Paper referred to. It will also be seen that in consequence of this error the Local Government Board, so long ago as August last, cautioned the Returning Officer to be more careful and correct in the discharge of his duties. The Board believed that he acted through ignorance, and not with any intention to do wrong; and there does not appear to be any necessity for taking further notice of the matter, which has long since been disposed of.

MR. O'BRIEN: Might I ask the right hon. Gentleman whether the facts in this case are not an additional illustration of the ignorance of Returning Officers as to any uniform rule by which only 18 votes can be given by one ratepayer?

MR. TREVELYAN: The subject will be carefully watched.

MR. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true that Mr. Michael Fleming nominated Mr. James Carroll as candidate for the office of Poor Law Guardian at the late election, Shillelagh Union, in opposition to Mr. James Hopkins; whether the nomination was refused, and no voting papers issued by the clerk of the union, Mr. Benjamin Hopkins, who is the returning officer; whether he is aware that the latter is a near relative of Mr. James Hopkins, the sitting guardian; whether Mr. Fleming is not a properly qualified elector of the county Wicklow, and on the register of voters; and, whether, as in the Killiskey case, he will order a sworn inquiry into the bona fides of the transaction for the satisfaction of the ratepayers of the district?

MR. TREVELYAN: Sir, nominations were made as stated. The Returning Officer, Mr. Benjamin Hopkins, refused to accept the nomination of Mr. Carroll on the ground that his nominator, Mr. Fleming, was not a ratepayer. The Returning Officer states that he is not related to Mr. James Hopkins, the sitting Guardian. Mr. Fleming's name is on the Register of Voters; but whether or not he is a properly qualified elector does not appear to be yet certain. The Local Government Board are in communication with him on the subject; and if he can adduce any evidence to show that he is a ratepayer and paid a portion of the rates on the holding which he occupies they will take such further action in the matter as may appear necessary.

### LAW AND JUSTICE (IRELAND)—JURY PANELS.

MR. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. William Welch, who marks the jury panels for the Crown at the Green Street Commissions, is or was until recently connected with the Leinster Street Conservative Association; whether in the latter capacity it was his business, for the purposes of the revision sessions, to make himself acquainted with the religion and politics of the persons summoned to serve as jurors at these commissions; and, whether it is by the advice of this gentleman, or by the aid of a jury panel marked by him, that Catholic and Liberal jurors are persistently ordered by the Crown to stand by?

MR. TREVELYAN: Sir, it is the Crown Solicitor who himself marks the panel, and not Mr. William Welch. As to the steps which the Crown Solicitor, for the purpose of the proper discharge of his duty, is obliged to take in order to obtain confidential information, the matter is one as to which I must decline to make any statement in the House. As regards the last paragraph of the hon. Gentleman's Question, I have to state that it is not the fact that Catholic and Liberal jurors are persistently ordered to stand by. For instance, on the jury which convicted Brady there were, at least, four Catholic gentlemen.

Mr. O'DONNELL: May I ask the right hon. Gentleman, with regard to his statement as to the composition of juries, whether it is true that at the last trial of Timothy Kelly there were upwards of 40 challenges by the Crown, and on the trial of Fagan 54; and will the right hon. Gentleman tell the House why the Government prefers that kind of trial by jury to the trial by Commission of Judges authorized by the House?

Mr. O'BRIEN: Referring to my Question, whatever may be the duties of Mr. Welch at Green Street—[*Cries of* "Order!"]—a very important part of my Question has not been answered. I wish to ask the right hon. Gentleman whether it is or is not a fact that Mr. Welch is connected with the Leinster Street Conservative Association of Dublin?

Mr. TREVELYAN: I consider I have answered the Question of the hon. Member satisfactorily.

## INLAND REVENUE—INCOME TAX (SCHEDULE B).

Sir JOSEPH M'KENNA asked the Secretary to the Treasury, in respect to the statistical abstract for the United Kingdom, issued last year, which returns £9,980,587, as the gross amount of occupation interests in Ireland for the year 1880, whether that amount has been computed on the same principle as that applied to show the sums in same abstract for England and Scotland, amounting together under Schedule B to £59,402,479?

Mr. COURTNEY: Sir, the amounts stated in the statistical abstract are calculated upon the same principle; but the hon. Member is aware that the owner in England is assessed under Schedule A upon the estimated value; in Ireland the owner is assessed upon Griffith's valuation. The occupying farmer in England is assessed under Schedule B upon half the actual rent paid; in Ireland upon one-third of Griffith's valuation. I think it right to add that mainly in consequence of the exemption of incomes under £150 the net assessment charged with Income Tax under Schedule B in Ireland is only £2,722,000, as against the gross assessment of £9,980,587, as stated in the Question.

## PUBLIC HEALTH—NAZARETH HOUSE, HAMMERSMITH.

Mr. DALY asked the President of the Local Government Board, Whether inquiries have been made into charges against the sanitary condition of Nazareth House, Hammersmith; and, if so, with what result?

Sir CHARLES W. DILKE said, that he had ordered one of the Medical Inspectors of his Department to inquire into the subject, and an inquiry had accordingly taken place. He had also himself been over the premises of the Sisters of Nazareth House, Hammersmith. There were 175 children there, and about 130 old men and women. The attack of typhus was confined to the children and the Sisters attending on them, and had not reached the old people. There were 51 cases of typhus in all; but that extended over a long period—several months. The Medical Inspector's Report was not yet complete; but he had received from him an interim Report. As soon as the full Report was ready it should be laid before the House. If the hon. Member asked what was the character of the Report, he might at once state that it said that the rumour that the Sisters had disregarded cleanliness was quite unfounded. Further, it stated that the amount of space given to the children was ample and sufficient. The disease was brought in from without, and the Inspector was making further and full inquiries on that point. The spread of the disease was accounted for by the fact that it was in the house for a considerable time before the Sisters knew of it, as typhus was a disease which it was very difficult to recognize among children.

## LAW AND JUSTICE (IRELAND)—EXECUTION OF MILES JOYCE FOR MURDER.

Mr. HARRINGTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether two of the three men executed in Galway Gaol on Dec. 15th, viz. Patrick Joyce and Patrick Casey, had made declarations admitting their own guilt and asserting the innocence of the third man Myles Joyce; whether these declarations were made in presence of Mr. Brady the resident magistrate who first had charge of this case, and were deemed by him of such importance that he transmitted them by special messenger to the Lord Lieutenant with an expression of his own belief in the innocence of Myles Joyce, and caused the telegraph office in Galway to be kept open all night to receive the expected commutation of this man's sentence; if he will state whether he had been consulted and agreed to the reply transmitted at one o'clock on the morning of the execution that the Law should take its course; and, whether he will have any objection that Copies of these declarations should be laid upon the Table of the House?

MR. TREVELYAN: Sir, the statements referred to were sent up to Dublin by order of the Lord Lieutenant, by whose order, also, the telegraph station at Galway was kept open until he had time to consider them. The statements did not say that Myles Joyce had no complicity in the murder. That complicity was distinctly proved, both by independent witnesses and by the approvers, and was not denied by the two other men who were executed. Mr. Brady gave no such opinion as is referred to in the Question. I must decline to answer the third paragraph of the Question. The Advisers of the Crown in the consideration of capital cases are never named; it is the Lord Lieutenant solely who is responsible. The Government cannot consent to lay on the Table of the House Papers relating to the consideration by the Crown of a capital sentence.

MR. HARRINGTON: Will the right hon. Gentleman say why the Government did not observe that rule in regard to Hynes?

MR. TREVELYAN: That was an absolutely exceptional case, Sir; inasmuch as the characters of 12 honest citizens were attacked and impugned. The Papers were, therefore, laid upon the Table of the House in order to clear their characters.

MR. HARRINGTON: Will the right hon. Gentleman say whether the man Myles Joyce did not, on the day he was executed, declare his innocence as he left the cell, and whether he was not actually declaring his innocence at the very moment when the executioner drew the bolt, and launched him into eternity?

MR. O'BRIEN: Will the right hon. Gentleman say whether he considers the character of 12 special jurors in Dublin of more importance than the life of one Connaught peasant?

[No reply was given to these Questions.]

## CRIME (IRELAND)—CO. WICKLOW.

MR. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, If he has seen the following statement in the "Times" of the 23rd April, with reference to crime in the county Wicklow:—

> "The County Court Judge, Mr. Darley, was presented with a pair of white gloves in the Court House of Wicklow yesterday, there being no criminal charges to be brought before him. He complimented the county on its peaceful state;"

if he has seen a report of the proceedings at Baltinglass Quarter Sessions, the other side of the county, on the previous Monday, in which the same Judge, addressing the Grand Jury, said—

> "There is but one case to go before you, and that a very trivial one, for stealing a bottle of porter. I am sorry that the magistrates could not deal with this case, and thus save twenty-three gentlemen the trouble and inconvenience of attending here;"

whether the Grand Jury found "No Bill;" and, whether he can state if a stipendiary magistrate was present on the Bench when this extraordinary case was returned for trial to Quarter Sessions?

MR. TREVELYAN: Sir, the circumstances are as stated in this Question. In the one case, which was for trial at the Quarter Sessions, the accused, when before the magistrate, had elected, as he was legally entitled to do, to be tried before a jury, and therefore the magistrates had no option but to send the case forward. There was no Resident Magistrate present. There does not seem to be the slightest reason to suppose that the remarks of the learned County Court Judge were intended as any reflection on the action of the magistrates.

## TURKEY IN ASIA—THE GOVERNOR OF THE LEBANON.

Mr. BOURKE asked the Under Secretary of State for Foreign Affairs, What instructions have been sent to Her Majesty's representative at Constantinople with respect to the successor to Rustum Pacha, late Governor of the Lebanon?

Lord EDMOND FITZMAURICE: Sir, Her Majesty's Government do not favour any particular candidate. They are ready to consider the merits of any person that the Porte may suggest for the Governorship of the Lebanon in the event of the Sultan revoking the mandate of Rustum Pasha. In the case of Trenk Bib Doda, the Mirdite Chief, Her Majesty's Government thought it doubtful whether he was fitted by age and experience, and knowledge of the language, for the post.

## POOR LAW (IRELAND) — BELFAST BOARD OF GUARDIANS—IRREGULARITY OF THE MASTER OF THE WORKHOUSE.

Mr. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, If he has received a report from the Local Government Board Inspector, Mr. Hamilton, of the condition in which he found the Belfast Workhouse master's books, which, on the 10th April 1883, at a meeting of the Belfast Board of Guardians he declared had been cooked and falsified; if it be true that since this date the books and stores are still in charge of the same persons; and, if so, whether these officials will be continued in office?

Mr. TREVELYAN: Sir, the Local Government Board inform me that they have received a Report from their Inspector on this subject, and the explanation of the master of the workhouse. The result is to show that, although there has been some irregularity in the manner in which the master's books had been kept, there is no reason whatever to attribute fraud to that officer, and there does not seem to be any reason why he should not be retained in office. The Local Government Board will address the Guardians on the subject of the irregularity referred to, with a view to their taking care that they shall not be repeated.

## POOR LAW (IRELAND) — THE DONEGAL WORKHOUSE.

Mr. O'DONNELL asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that all the officials of the Donegal Workhouse, the master, matron, clerk, medical officer, sanitary officer, porter, &c. are Protestants, although 90 per cent of the inmates are Catholics; whether the guardians of the Donegal Union have refused to appoint a Catholic catechist, at the nominal salary of eight pounds a-year, to give religious instruction to the Catholic children in the Donegal Workhouse, and whether they have persisted in this refusal, notwithstanding the remonstrances of the Local Government Board; whether the Catholic chaplain has accordingly resigned, with the sanction of his Bishop, in consequence of such refusal to provide catechetical instruction for the children; whether he is aware that the Catholic ratepayers have called upon the four Catholic guardians to resign also, in consequence of the fruitlessness of all popular endeavour to oppose the Anti-Catholic policy of the majority of the board; and, what steps he proposes to take to obtain for the Catholic children and other Catholic inmates of the Donegal Workhouse the requisite protection for their religious convictions which has been refused by the majority of the guardians?

Mr. TREVELYAN: It is the case. Sir, that the officials mentioned are Protestants, and that over 80 per cent of the inmates of the workhouse are Roman Catholics. The Guardians of the Donegal Union at first consented to the proposed appointment of a Roman Catholic Catechist, and the Local Government Board was prepared to approve the arrangement; but the Guardians subsequently rescinded their resolution, and have since adhered to that decision. The Catholic chaplain has threatened to resign; but he has not actually tendered his resignation. I have no information as to the alleged communication between the Roman Catholic ratepayers and Guardians. The Local Government Board have no power to make the appointment themselves, and they regret that the Guardians should refuse to acquiesce in a proposal which appears to be reasonable.

## THE IRISH LAND COMMISSION—SITTING AT DUNGARVAN.

Mr. O'DONNELL asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the fact that at the late sitting of the Land Court appointed to be held this month at Dungarvan for the hearing of cases in the Union of Dungarvan, 166 cases were listed for hearing; whether he is aware that in the cases of many of the applicants for the fixing of a fair rent their applications have been already before the court for periods of eighteen months and more; whether it is true that the court was postponed to July without hearing cases at Dungarvan; whether it is true that at the present rate of the disposal of cases at Dungarvan more than a quarter of a century will be required to dispose of the cases already on the list; and, whether arrangements can be made by which courts can be held more frequently and for longer periods until the cases in arrear have been disposed of?

Mr. TREVELYAN: Sir, 166 cases were listed for hearing at Dungarvan on the 9th of April. I have not been informed whether any of them had been before the Court for 18 months; but I am aware that nearly all of them had been adjourned from the previous sitting. The April sitting at Dungarvan only terminated on Monday last; and the Land Commissioners, when reporting to me yesterday, had not received the Returns necessary to enable them to say what amount of business was disposed of. They have furnished me with a conjecture on the subject; but, as it is only a conjecture, I do not wish to repeat it. A Sub-Commission will sit again at Dungarvan on the 30th of July.

## POST OFFICE—THE WEST COAST OF AFRICA.

Mr. SLAGG asked the Postmaster General, Whether, as the last mail under the present extended contract leaves for Zanzibar in May, any arrangements have been made, or are in progress, for the future mail service of the West Coast of Africa?

Mr. COURTNEY: Sir, this subject has been under the consideration of the Government, and they have come to the conclusion that the reasons for which the agency at Zanzibar exist warrant the continuance for a limited period of a subsidy for a monthly service between Aden and Zanzibar. Tenders will accordingly be called for immediately for this purpose, the period fixed being five years. Although the subsidy is not for postal purposes, and will not be charged to the Post Office Votes, it will probably be desirable to have the contract confirmed by a Vote of the House.

Mr. SLAGG asked the Under Secretary of State for Foreign Affairs, Whether any treaty is in course of negotiation for the cession to England of Whydah and its dependencies on the West Coast of Africa, a region including 600 miles of coast between Lon. 5 E. and 5 W?

Lord EDMOND FITZMAURICE: The cession of the Portuguese fort at Whydah, and of the rights inherent to the sovereignty of it, have formed part of the negotiations between this country and Portugal, and were referred to in a speech made by the Secretary of State for Foreign Affairs in "another place" on the 9th ultimo.

## EXPLOSIVE SUBSTANCES ACT, 1875—SECTION 23—STORAGE OF GUNPOWDER (IRELAND).

Colonel KING-HARMAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If he is aware that the magistrates of the Petty Sessions district of Drumcondra have protested against powder manufacturers being allowed to erect magazines in their district; whether he is aware that the Grand Jury of the county of Dublin have petitioned the Lord Lieutenant against the order to remove private stores of gunpowder out of the Government magazines; and, whether, in the present state of Ireland, the Government intend to carry out an order which is causing so much alarm to the loyal and peaceful subjects of Her Majesty in that Country?

Mr. TREVELYAN: I am aware, Sir, that the magistrates of the Drumcondra district have objected to the establishment of a powder magazine at Santry, and that the Grand Jury of the County of Dublin have petitioned the Lord Lieutenant as stated. The decision as to the storage of merchants' powder has been arrived at by the Government after very careful consideration, and it is intended to carry it out.

COLONEL KING-HARMAN asked the Secretary of State for the Home Department, Whether the Government adhere to their intention of requiring the manufacturers of gunpowder to remove, from the Government Magazines in and about Dublin, the powder which they have hitherto been compelled to store therein, thereby exposing the public to great alarm and danger by obliging large stores of gunpowder to be kept in unprotected places, where it is liable to be blown up by incendiaries, or to be plundered either in magazines or in transit from the stores to the retail warehouses?

SIR WILLIAM HARCOURT: Sir, this Question is put, I think, under some misapprehension. The hon. and gallant Member says that the merchants have hitherto been compelled to store their powder in the Government magazines. That is not so. They were allowed, as an exceptional privilege, in former times so to store their gunpowder; but, for reasons to which I need not further allude, it was thought that it was not desirable that persons should have access to the Government stores who are not Government servants, as that would put the stores in peril. Therefore, last year, the Government determined that the stores should be kept as Government stores alone. Since then the merchants have stored their gunpowder, as in England, in magazines set apart for that purpose. In reference to this part of the Question, the hon. and gallant Member will see, on looking at the Explosives Act of 1875, that persons who have a licence to store gunpowder are under an obligation to protect their magazines. Recently a Circular was sent out to the local authorities in England and elsewhere, calling attention to that obligation. The matter is now on the same footing in Ireland as in England and the rest of the United Kingdom. The Government magazines are used exclusively for the storage of Government gunpowder, and the others are under the regulations of the Explosives Act.

COLONEL KING-HARMAN inquired whether, under the provisions of that Act, merchants were bound to protect gunpowder in transit as well as in the stores?

SIR WILLIAM HARCOURT: I should not like to answer that Question off-hand without looking at the Act.

COLONEL KING-HARMAN: Perhaps the right hon. and learned Gentleman will look at it.

SIR WILLIAM HARCOURT: I will, Sir.

## ARMY—STOPPAGE OF PAY.

COLONEL NOLAN asked the Judge Advocate General, If more than one day's pay can now be stopped from a soldier for an absence of less than twenty-four hours, when the soldier is not detailed for special duty; and, if so, if he will state what is the minimum time for which two days' pay can be stopped when the soldier is not for duty; and, whether any change has lately been made decreasing the minimum of the time for which two days' pay can be stopped.

THE JUDGE ADVOCATE GENERAL (Mr. OSBORNE MORGAN): Sir, in the case put—namely, that of a soldier not detailed for duty:—(1), one day's pay can be stopped for absence for six consecutive hours; (2), the minimum time for which two days' pay can be stopped is 12 consecutive hours, provided the absence is partly in one day and partly in another; and, lastly, the minimum of the time for which two days' pay can be stopped was decreased by Art. 166 of the Royal Warrant of 1882, framed under sec. 140 (2) of the Army Act, 1881. For instance, under the Act of 1879, a soldier absent from 10 p.m. to, say, after 10 a.m. the next day was liable to forfeiture of pay for one day only; whereas he is now, under the combined effect of the Act of 1881 and the Royal Warrant, liable to two days' forfeiture.

## EGYPT—THE HARBOUR OF ALEXANDRIA.

MR. W. H. SMITH asked the Under Secretary of State for Foreign Affairs, If it be true that arrangements have been made by which the obstructions in the channel at the entrance of the harbour of Alexandria will be removed, so as to admit of the entrance of large ships in any weather, and by night as well as by day; and, within what time it is expected this important work will be executed?

LORD EDMOND FITZMAURICE: Sir, the Egyptian Government have in principle decided to adopt the scheme for deepening the entrance into Alexandria Harbour recommended by an International Commission of Engineers in 1881. They are now considering the mode of providing funds to carry out the works without throwing any fresh charge on the Egyptian Treasury. I am unable to say at present within what time it is expected that the work will be completed.

### EGYPT (RE-ORGANIZATION)—MR. SHELDON AMOS.

**Mr. MOLLOY** asked the Under Secretary of State for Foreign Affairs, Whether it is a fact, as stated in a public telegram from Egypt, that Lord Dufferin has appointed Mr. Sheldon Amos to be the English Member of a Committee of three to arrange measures for giving effect to His Lordship's scheme for the establishment of a Constitution in Egypt; whether he has read an article in the October number of the "Contemporary Review," entitled "Spoiling the Egyptians, revised version," in which the writer applauds the "seemingly severe determination," in the days of the first control, "that the coupon must at all hazards be paid," and further states that such determination "was based on well founded apprehension for the country generally if the slightest show of indulgence was admitted;" and, whether Her Majesty's Government will sanction the appointment of a gentleman holding these views?

**Lord EDMOND FITZMAURICE**: Sir, I have nothing to add to the reply to this same Question which I gave on Monday last, and sufficient time has not elapsed for inquiry to be made.

### TOWNS IMPROVEMENT (IRELAND) ACT —EXTENSION OF BOROUGH BOUNDARIES.

**Colonel NOLAN** asked the Chief Secretary to the Lord Lieutenant of Ireland, If any machinery exists by which Corporations or the Town Commissioners of towns in Ireland can effect the enlargement of the borough boundaries without the expense of a private Act of Parliament?

**Mr. TREVELYAN**: Sir, under Section 5 of the Towns Improvement (Ireland) Act, Towns Commissioners may alter or extend the boundaries of their towns, with the consent of the Local Government Board. There is no such provision with regard to the boundaries of Corporate towns.

### PRISONS (IRELAND)—CASE OF JAMES KELLY.

**Mr. HARRINGTON** asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether James Kelly, one of the prisoners awaiting trial for the outrage at Weston House, was confined for some weeks in Ballinasloe bridewell during the month of February; whether he was during that time visited on five different occasions by a detective who was locked into the cell with him, contrary to the prison regulations; whether on each of these occasions the detective gave him whiskey to drink, and afterwards produced a purse of money, which he told him he would receive if he swore informations against certain persons named by the detective, and who were not at all in custody; whether, as a further inducement, the detective stated to him that the other men charged had offered to give information which would condemn Kelly to penal servitude; and, whether this latter statement was a falsehood?

**Mr. TREVELYAN**: Sir, James Kelly was confined for a time in Ballinasloe Bridewell. He was not visited there by a detective, nor did he get any whisky.

**Mr. HARRINGTON** asked the right hon. Gentleman whether inquiry had been made of James Kelly himself; and said that, in consequence of the answer he had received, he should take an early opportunity of calling the attention of the House to the gross inaccuracy of the information supplied to the Chief Secretary.

### POOR LAW (IRELAND)—WORKHOUSE CHAPLAINS—BELFAST UNION.

**Lord ARTHUR HILL** asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the authorities at the Local Government Board were aware, when they refused to ratify the recommendation of the Belfast Board of Guardians in favour of appointing the Rev. Saml. M'Comb to the vacant Presbyterian Chaplaincy of the workhouse, that the Rev. Gentleman was a Conservative and an Orangeman; and, whether, when they ignored the recommendation of the Board of Guardians by nominating the Rev. W. Montgomery to that Chaplaincy, the authorities were aware that this Gentleman was a warm supporter of Her Majesty's Ministers?

Mr. TREVELYAN: Sir, the Local Government Board were aware of the political views of both the rev. gentlemen; but this knowledge did not influence them in selecting the Rev. Mr. Montgomery. That gentleman was unquestionably the most suited for the appointment, he having for some considerable time acted as *locum tenens* during the illness of the previous chaplain, and his church and manse being close to the workhouse, while the Rev. Mr. M'Comb's church was at the other end of the town and his residence still further away. Moreover, the balance of Presbyterian opinion among the Guardians appears to have been in favour of Mr. Montgomery.

### LAND LAW (IRELAND) ACT, 1881—LORD CLONCURRY'S ESTATES—EVICTED TENANTS.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, With what object the police have been questioning the evicted tenants of Lord Cloncurry, at Murroe, as to the terms they were willing to offer for reinstatement; and, whether these inquiries have any connection with the reported transfer of the evicted farms to the Land Corporation of Ireland?

Mr. TREVELYAN: Sir, some inquiries were made for the purpose of ascertaining the views of the people, and aiding, if possible, a settlement of the dispute between the landlord and his tenants. These inquiries had no connection whatever with the Land Corporation of Ireland.

### LAND LAW (IRELAND) ACT, 1881—CLAUSE 19—LABOURERS' COTTAGES.

Mr. VILLIERS STUART asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he will state to the House the number of holdings subject to Clause 19 of the Land Law (Ireland) Act of 1881, on which judicial rents have been fixed by the Land Commission; the number of these in which orders have been made for the building or improvement of labourer's cottages or the addition of allotment gardens; the number of holdings on which such orders have been complied with; and the number of cases in which the provisions of the Labourers' Cottage and Allotment Act of 1882 have been made use of to compel compliance?

Mr. TREVELYAN: It would be quite impossible, Sir, to state the number of holdings on which judicial rents have been fixed, and where applications for the erection or improvement of labourers' cottages might have been, but were not, made. The number of cases in which orders have been made for the building or improvement of cottages, or for the allotment of gardens, is 413. I am not at present able to say in how many cases these orders have been complied with, or the provisions of the Act of 1882 made use of to compel compliance. Inquiries on this subject were undertaken some time ago by my desire, and are still in progress. It was necessary, in the first instance, to ascertain from the Land Commissioners particulars as to all holdings in which such orders had been made. This stage of the inquiry has been completed; and the Constabulary will now be asked to ascertain in each case what has been done with a view to carry out the orders.

### THE MAGISTRACY (IRELAND)—LICENSING (BALLYMENA QUARTER SESSIONS).

Mr. KENNY asked the Chief Secretary to the Lord Lieutenant of Ireland, If he has had brought under his notice the report of a licensing case at Ballymena Quarter Sessions, in county Antrim, held in this present month, in which an applicant was refused a transfer of an existing licence because of his holding another licence in the same town; whether such ground of refusal is a good ground of objection according to the statute; is it not the fact that refusal of licence upon such a ground has been decided to be illegal by the Court of Queen's Bench, in the case of Kinsella and Kavanagh against the Wicklow Justices; has his attention been called to another case of refusal of transfer at Antrim Quarter Sessions, in the same county, on the 17th of this month, of a publican's licence, and that the applicant in this case had succeeded in overturning a previous refusal by motion in the Queen's Bench; whether he is aware that the course of procedure pursued by the county court judge of Antrim, in licensing cases, is the cause of grave dissatisfaction to the publican interest in Antrim and Belfast, and has led to much expensive litigation; whether he is aware that another of the justices at Antrim was the Chairman of the Irish Temperance League, and that the other justices present are also contributors to the funds of the League, which are employed in feeing a solicitor to oppose licences; and, whether justices connected with the liquor business are disentitled by statute from acting at licensing sessions?

MR. TREVELYAN: Sir, with regard to the first paragraphs of this Question, I have only to say that the Quarter Sessions is an independent Court, over which the Government exercises no control. If any party is dissatisfied with their decision in refusing a transfer of a licence, on the ground that such refusal is illegal, his proper course is to apply to the Queen's Bench; and I cannot enter into the merits of any particular cases upon which the Quarter Sessions Court has adjudicated. I am not aware whether the further statements made are correct, nor do I think that I am called upon to make inquiry on the subject. The Lord Lieutenant has no power to interfere with a County Court Judge, nor has he any right to interfere with a magistrate on the ground that the course pursued by him has caused dissatisfaction to a particular interest. If the hon. Member's informant has any just cause of dissatisfaction with particular magistrates on the ground of their connection with a Temperance League or otherwise, his complaint should be addressed to the Lord Chancellor. As to the concluding paragraph of the hon. Member's Question, I must refer him to those provisions of the Licensing Acts which deal with the subject of disqualification to act at Licensing Sessions.

## THE IRISH LAND COMMISSION (SUB-COMMISSIONERS) — SITTINGS AT NENAGH.

MR. SEXTON asked the Chief Secretary to the Lord Lord Lieutenant of Ireland, Whether he is aware that applications to have fair rents fixed, proceeding from persons resident in the Unions of Roscrea, Borrisokane, and Parsonstown, are appointed to be heard at Thurles by Sub-Commission 15 on its forthcoming circuit; whether he is aware that the Unions of Roscrea and Borrisokane, and that part of the Parsonstown Union situate in the county Tipperary, are at distances of not more than from seven to fifteen miles from the town of Nenagh, where Sub-Commission 15 is also fixed to sit, while the Unions in question are about three times as distant from Thurles, where cases of persons residing in those Unions are nevertheless appointed to be heard; and, whether, considering the heavy expense to which applicants would be put for travelling expenses for valuers and witnesses for long distances, and the heavy costs already incurred by many of these applicants through two postponements of their cases, arrangements will be made, either for Sub-Commission 15 to hold a session at Borrisokane, or to hear at Nenagh, instead of at Thurles, the cases from the three Unions before mentioned?

MR. TREVELYAN: Sir, the Land Commissioners have altered the arrangements referred to; and cases from the Unions of Nenagh, Borrisokane, and that part of the Union of Parsonstown which is in the county of Tipperary will be heard at Nenagh. Applications from the Unions of Roscrea and Thurles will be heard at Thurles.

## INLAND NAVIGATION AND DRAINAGE (IRELAND)—THE SHANNON.

COLONEL NOLAN asked the Secretary to the Treasury, If he can now state when the sluices and other works on the Shannon will be in an efficient state to prevent the undue rising of the summer floods?

MR. COURTNEY: Sir, the Shannon sluices will, I am informed, be all available for the regulation of the coming summer floods, whenever they may occur.

## IMPERIAL EXPENDITURE (IRELAND).

MR. ARTHUR O'CONNOR asked the First Commissioner of Works, If he will state, or furnish a Return showing, the proportion of the £242,500, for Surveys of the United Kingdom, which is spent in or for Ireland; if the Secretary to the Treasury will state or furnish a Return showing the portions of the sum of £1,006,785 taken in the Estimates as required to defray the Expenses of the Customs Department is spent in Ireland; and, if he will state or furnish a Return showing what portion of the sum of £1,488,772 taken in the Estimates as required for the Inland Revenue Department is spent in Ireland?

MR. COURTNEY: A Return, Sir, has recently been ordered, on the Motion of the hon. and gallant Member for County Galway (Colonel Nolan), which will show, as accurately as circumstances permit, the sums expended in or for Ireland in the last financial year. If, when this has been circulated, any further information is desired, it will be open to hon. Members to ask for it; but, in the meanwhile, it would only be confusing to answer isolated Questions upon particular points. As regards the Inland Revenue Vote, I may at once refer the hon. Member to the Estimates, to the details of which he does not appear to have referred.

MR. ARTHUR O'CONNOR asked the Postmaster General, if he will state, or furnish a Return showing, what portions of the amounts taken in the Estimates for the Post Office and Post Office Telegraph Services are spent in Ireland?

MR. FAWCETT: Sir, if the hon. Member will refer to the Revenue Estimates, Votes 3, 4, and 5, which relate to the Post Office, he will find such detailed information given under separate heads of England, Scotland, and Ireland, as to the salaries of officers and other items of expenditure, that I do not think any useful end will be served by giving the Return suggested.

### POST OFFICE—SIXPENNY TELEGRAMS —LIABILITY OF GUARANTORS.

MR. GUY DAWNAY asked the Postmaster General, in view of the proposed alteration with regard to 6*d.* rates for telegrams, an alteration which it is computed will entail a loss of £170,000 a-year, What arrangements will be made in case of the rural post offices, where contracts have been signed under which the shillings at present paid in for telegrams are allowed to the guarantors of the annual sum paid to the Post Office Department; and, whether the guarantors of such sums will be secured from any share in the loss which it is calculated will be entailed on the revenues of the Department by the change in the telegraphic rates?

MR. FAWCETT: Sir, in reply to the hon. Member, I may state that I think it will be only fair that guarantors should not suffer any pecuniary loss from the proposed reduction of telegraphic charges; and they will not, therefore, be called upon to pay any more than the payment made in the last year, or the average payment of the three last years.

### NAVY—THE ROYAL MARINES—PAY OF MEN EMPLOYED ON POLICE DUTY IN IRELAND.

MR. GORST asked the Secretary to the Admiralty, Whether the lodging money of married privates and non-commissioned officers of the Royal Marines who have been sent to discharge police duty in Ireland has been stopped, and much distress thereby inflicted on their families; and, whether the Lords of the Admiralty will consider the propriety of the continuance of lodging money to such persons during their temporary absence in Ireland?

MR. CAMPBELL - BANNERMAN: Sir, the lodging allowance granted to the men of the Royal Marines is in lieu of quarters for the man to whom it is issued, and is in no sense an allowance for the maintenance of his wife and children. The men now serving in Ireland are provided with quarters, and are, therefore, not entitled to lodging money. I cannot believe that any distress has been inflicted on the families, as the men's full regimental pay is issued to the wives and families at home, the extra payment made in Ireland being amply sufficient for the subsistence of the men themselves.

### EGYPT (THE EXPEDITIONARY FORCE) —FIELD ALLOWANCE.

SIR WILLIAM HART DYKE asked the Secretary of State for War, Whether it is a fact that the officers of the 1st Battalion Manchester 63rd, and the 1st Battalion Seaforth Highlanders 72nd, having received six months' field allowance during service in Egypt, in common with officers of other Regiments, have since been called upon to refund the same; and, if so, whether any justification can be found for treating these Regiments specially summoned from India to serve in Egypt in a less generous manner than our English troops?

MR. J. K. CROSS: Sir, the officers referred to were not considered entitled to the advance of six months' field allowance because, up to the date of their landing in Egypt, they continued to receive those higher rates of Indian pay which include the provision of field equipment, to meet the cost of which the advance in question was made to officers proceeding on service from England. From the date of their landing in Egypt, however, they received the War Office daily rate of field allowance. The regimental authorities of the Seaforth Highlanders drew the whole of the six months' advance, and have been called on to refund. The claim of the Manchester Regiment to the advance was disallowed. The India Office has now under immediate consideration the claims of the officers to the whole of the six months' advance.

Sir WILLIAM HART DYKE said, the Question was based solely on the justice of the claims of these officers in comparison with the treatment of officers summoned from England. Could a positive assurance be given that these officers would not be placed in a disadvantageous position in a pecuniary sense as compared with the officers who went out from England? Unless he got a satisfactory answer, he should be obliged to bring the unfortunate matter before the House.

Mr. J. K. CROSS said, he had already stated that it was under consideration at the India Office; but the cases named were scarcely parallel. Until the troops from India arrived at Suez they received higher rates of pay, which English officers did not enjoy until they arrived in Egypt. The cases were not parallel; but the matter would receive consideration.

## THE MAGISTRACY (ENGLAND AND WALES)—NEWSPAPER PROPRIETORS.

Mr. PASSMORE EDWARDS asked Mr. Attorney General, Whether it is true that the Lord Chancellor has recently refused to confirm the nominations of Mr. Duncan, of Cardiff, and of Mr. Ramsden, of Halifax, to the Magisterial Bench, on the ground that those gentlemen were proprietors of newspapers?

The ATTORNEY GENERAL (Sir Henry James) said, he understood that the Lord Chancellor had not laid down any general rule that he would not, in any circumstances, appoint newspaper proprietors as magistrates; but, in dealing with applications for the appointment of magistrates, he had to consider the business position and general influence of the gentlemen nominated. It was true that in these cases he had not acceded to the application; but it was certainly not on account of any question of personal character. It was rather on account of general considerations applying to their position, and the influence they might exercise within the local areas, that it was thought best, on the whole, not to sanction the appointments.

## IRELAND—STATE-AIDED EMIGRATION.

Mr. ARTHUR O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether any and what offers have lately been made to the Government scale for the removal of a very considerable number of selected families from the West of Ireland to be settled upon land in America?

Mr. TREVELYAN: Sir, the Government have been in communication with certain gentlemen interested in the development of the North-West Provinces of Canada on the subject of selecting emigrants for settlement there. The general wish of these gentlemen to whom I refer as to the comfort and well-being of the emigrants may be seen in the first paragraph of a letter which I think appears in *The Times* of to-day, and which shows that they are anxious that these emigrants should enter on a farm of 160 acres of good wheat land, with a comfortable house already provided for them, with a cow and the means of carrying on the labour of the farm, their subsistence being also thoroughly provided for them during the early period of their settlement. I do not say that is the exact offer which has been made, and which the Government will accept; but it is an outline of what those gentlemen propose to provide for the emigrants. The matter is one requiring much consideration, and the sanction of Parliament will have to be obtained before any such scheme is entered upon.

Mr. ARTHUR O'CONNOR: How is it proposed to provide subsistence for 50,000 persons from the day of their arrival until they reap their first crop?

Mr. TREVELYAN: The matter is still in an inchoate state. I have merely mentioned the general intention of these gentlemen; but, of course, it is obvious that 50,000 persons will not go out together.

### CATTLE DISEASE (IRELAND).

Mr. DUCKHAM asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can state the date at which the foot and mouth disease was last year introduced into Ireland, and from whence; whether he can furnish the number of cattle, of sheep, and of pigs that have been attacked since its introduction and up to the 24th March; also the number of diseased animals that have died, or been killed, or recovered, up to 24th March last; and, whether regulations similar to those enforced in England have been rigidly enforced in Ireland to check the spread of the disease?

Mr. TREVELYAN: Sir, there was no case of foot-and-mouth disease in Ireland last year. The outbreak occurred towards the end of January in this year. The first case appeared in a bull brought from Westmoreland; but it is believed that the outbreak was caused by infection brought to Dublin by drovers who had attended markets in affected districts in Lancashire. The numbers of animals attacked up to March 24 were—cattle, 2,230; sheep, 311; and swine, 91. Up to the same date, 88 animals were killed, 15 died, and 1,732 recovered. The latest Returns show some diminution in the number of cases. Regulations intended to check the spread of the disease are enforced as in England.

### NAVY—NAVAL ARTIFICERS.

Mr. STEWART MACLIVER asked the Civil Lord of the Admiralty, If it is true that two years have been added to the term entitling Naval Artificers to pension, and that men who are invited to re-enter after ten years' service are required to engage for twelve years more, and suffer loss by deferred rise of pay owing to this extension; and, whether the new conditions, while favourable to new entrants, have proved so unsatisfactory that the men who have been ten years in the service are found unwilling to re-enter for the extended period?

Mr. CAMPBELL-BANNERMAN: Sir, the Question of my hon. Friend refers, I think, to engine-room artificers. The new terms of service, which may be accepted at their own option by men now serving, include a longer period of service for pension, the rate of pension being, of course, increased. The men have been called upon to elect whether they will accept the new conditions as a whole, setting their advantages against any drawbacks they may discern in them, or continue to serve on the old terms. Returns have not been received from all the stations, and it is, therefore, not yet possible to say definitely how far the new conditions are accepted by the men; but my hon. Friend will understand that men at present in the Service can in no way suffer by the new Regulations, as it is optional with them, if they prefer it, to complete their service for pension under the old conditions in every respect.

### INDIA—THE PUBLIC WORKS DEPARTMENT.

Mr. CARBUTT asked the Under Secretary of State for India, Whether, considering that Sir Edward Clarke's Minute, on the Re-organization of the Public Works Department, of June, 1877, is in the hands of nearly all officials in India, and also in a public library in London, he will lay a Copy of it upon the Table?

Mr. J. K. CROSS: It cannot be admitted, Sir, as a reason for laying a Paper on the Table of the House, that it has already been published, through what certainly seems to be some breach of confidence. If Sir Edward Clarke's Minute were officially published, it would have to be accompanied by other Minutes on the re-organization of the Indian Public Works Department, the production of which is not desirable, as the subject is still under consideration.

### LAND LAW (IRELAND) ACT, 1881—LOANS TO IRISH TENANTS.

Mr. ERRINGTON asked the Secretary to the Treasury, Whether a measure is under consideration to so far assimilate the borrowing powers under the Lands Improvement Act and the Land Act, 1881, as to enable tenants in Ireland, to whom the latter Act does not apply, to borrow under the former sums less than £100; and, if so, whether he hopes soon to be able to introduce the Bill?

Mr. COURTNEY: Sir, in the Consolidation Bill which I hope to introduce before Whitsuntide, the fixed minimum prescribed by the old Land Improvements Acts will not be re-enacted; and it will be possible to prescribe, by regulation, any other minimum that may be desirable.

## GOVERNMENT OF IRELAND—UNDER SECRETARY TO THE LORD LIEUTENANT.

Mr. W. H. SMITH asked the Chief Secretary to the Lord Lieutenant of Ireland, If he is now able to state whether any permanent arrangement has been made with reference to the office of Under Secretary of State in Ireland?

Mr. TREVELYAN: Sir, Mr. Hamilton, the Accountant General of the Board of Admiralty, who, since the death of Mr. Burke, has performed the duties of Under Secretary in Ireland, has consented to hold that Office in permanence. I believe he has sent in his resignation as Accountant General of the Board of Admiralty to-day. The Government regard it as a high public advantage that they have been able to secure for Ireland Mr. Hamilton's great ability, and his long and varied experience in finance and administration.

## THE IRISH LAND COMMISSION—THE KING'S COUNTY.

Mr. MOLLOY asked the Chief Secretary to the Lord Lieutenant of Ireland, If it be true that the Land Commission has ordered that all cases arising in the King's County be heard at Tullamore on the 8th of May; whether, owing to the long distances, in some cases about fifty miles, that will have to be travelled by the poor tenants and their witnesses, living in distant parts of the county, in order to bring their cases before the Commissioners sitting at Tullamore, this decision will not prevent these tenants seeking the benefits of the Land Act; whether he will ask the Land Commission to sit not only at Tullamore, but at Birr and Edenderry, or other convenient places; and, if not, whether any other arrangements can be made to bring the benefits of the Land Act within the reach of the poorer tenants of the King's County?

Mr. TREVELYAN: Sir, the Land Commissioners inform me that, in arranging the new Circuits, considering that there were only about 40 cases remaining for hearing in the King's County, they allotted but one week for that county, and fixed upon Tullamore as the place where the Court should be opened. The Sub-Commission has power to adjourn to any other town within the county to meet the convenience of the parties interested.

## POST OFFICE (IRELAND)—TELEGRAPH DEPARTMENT—DUBLIN TELEGRAPH CLERKS.

Mr. O'DONNELL asked the Postmaster General, Why the Female Telegraph Clerks at Dublin, receiving thirty shillings a-week and upwards, are refused the annual holiday for three weeks enjoyed by Female Telegraph Clerks receiving similar rates of salary at London?

Mr. FAWCETT: Sir, in reply to the hon. Member, I have to state that the difference to which he calls attention between the periods of annual leave in London and in Dublin appears to me an anomaly, and I will see whether steps cannot be taken with a view to its removal.

## THE CENSUS, 1881.

Mr. W. H. SMITH asked the President of the Local Government Board, If he will state when the complete returns of the Census of 1881 will be presented to Parliament?

Sir CHARLES W. DILKE, in reply, said, that two volumes of the Returns would be issued on Monday, and the third volume was in course of preparation.

## INDIA (MADRAS)—COMPULSORY VACCINATION.

Mr. P. A. TAYLOR asked the Under Secretary of State for India, Whether it is the fact that the High Court of Madras has lately decided a Case on Appeal, to the effect that compulsory vaccination is illegal, the judges declaring that it is quite optional to a parent whether his children shall be vaccinated, and that it is not unlawful to dissuade others from suffering their children to undergo the operation?

Mr. J. K. CROSS: Sir, my hon. Friend has furnished me with a copy of *The Western Star of Cochin*, from which

I gather that the facts are correctly stated in his Question. Vaccination is not compulsory in the Madras Presidency.

### THE ROYAL IRISH CONSTABULARY—REPORT OF THE COMMISSION.

**Mr. GIBSON** asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, having regard to the long continued complaints of the Royal Irish Constabulary, and the Report of the Commission appointed to inquire into their grievances, the Government recognise the extreme importance of at once giving effect to the recommendations made in favour of the Force; whether there is not much dissatisfaction at the long continued delay in dealing with this most pressing question; and, whether the Government, having regard to the extreme urgency of the question, will at once introduce their Bill on the subject?

**Mr. TREVELYAN**: Sir, I will not enter into the question of the time which has elapsed in dealing with this matter; and, while I will not deny that some dissatisfaction exists, the conduct of the Force, I am assured by those in authority, as the right hon. and learned Gentleman would gladly admit, has been trustworthy and praiseworthy. But I am glad to take this opportunity of informing the House that on Monday I propose to introduce a Bill to amend the laws relating to the pay and pensions of the Royal Irish Constabulary and the Police Force of the Dublin Metropolis.

### FOREIGN AFFAIRS—THE TRIPLE CONVENTION.

**Mr. BOURKE** asked the First Lord of the Treasury, Whether Her Majesty's Government can give the House any information with respect to the Triple Convention lately made between Germany, Austria, and Italy?

**Mr. GLADSTONE**: Sir, I observe in the Question the right hon. Gentleman has used the words "Convention lately made between Germany, Austria, and Italy." We are not aware whether any instrument of the character of a Convention or Treaty exists. With respect, however, to the transaction which in some form has taken place, I do not think I can do more than refer the right hon. Gentleman to the explanation which has been given of its general character by the Austrian, Hungarian, and Italian Ministers in their respective Chambers.

**Mr. BOURKE**: Does Her Majesty's Government know whether those explanations refer to the affairs of the East?

**Mr. GLADSTONE**: I do not believe, so far as our knowledge goes, that there is any reference to any particular question or class of questions.

### LITERATURE, SCIENCE, AND ART—PURCHASE OF THE ASHBURNHAM MSS.—THE IRISH MSS.

**Mr. O'DONNELL** asked the First Lord of the Treasury, Whether Government will purchase the Irish manuscripts in the Ashburnham Collection, and cause them to be placed in some fit locality in Ireland for the use of scholars and students; whether it is the intention of the Government to carry out the provisions of the Irish University Education Act of 1879, which provides that, within twelve months after the first appointment of the Senate of the Royal University, a scheme shall be prepared for the erection of buildings which shall include a library; and, whether Government will consider the propriety of commencing the realisation of such library by placing the Irish manuscripts of the Ashburnham Collection at the disposal of the Senate of the Royal University of Ireland for the use of scholars and students?

**Mr. GLADSTONE**: Sir, as to that part of the Question which refers to the Ashburnham Collection, communications are still passing, and I cannot say whether it will be in our power to obtain portions of it or not. With respect to the disposition of the Irish portion of it, if the Collection should be acquired, an intimation has already been given that the Government think the suggestion well worthy of consideration that Ireland should be the repository of that portion of the Collection. I am informed that a Library upon an approved plan is contemplated for the Royal University Buildings now in course of erection or adoption.

### THE IRISH LAND COMMISSION — VALUERS — RESULT OF APPOINTMENT.

**Mr. BRODRICK** asked the First Lord of the Treasury, Whether he is correctly reported in Hansard of the 28th November 1882 to have stated with regard to the appointment of valuers in Ireland—

> "The experiment was made, and what is the result? It is this—that we have completely failed in bringing about the expedition which was the capital object which we had in view;"

and, whether, bearing in mind the statement of the Chief Secretary on March 12th 1883, that—

> "Under the new system the same number of Sub-Commissions with which the valuers produced decisions amounting to 77 a-day, were now producing 100 decisions a-day. The Government, therefore, watched the proceedings of the newly appointed Sub-Commissions with hope,"

he will take steps to remove the impression, of which he expressed himself unaware on Tuesday last, that pressure is being exercised by the Government on the valuers to expedite their decisions?

Mr. GLADSTONE, in reply, said, he was not aware of the existence of the impression referred to by the hon. Member; but was glad to have the opportunity of stating that there was not, and never had been, any attempt on the part of the Government to accelerate the proceedings of the Commissioners otherwise than by improving their means of action. That was the object which the Government had in view all along. Although there were now no valuers properly so-called—the valuation work being done by the non-legal members of the Commission—yet the instructions lately issued to these Sub-Commissioners were such that each Commission practically was able to do the work which was formerly done by two valuers. From that cause, and not from any pressure of the Government, came the augmented rate of progress.

## EAST INDIA—CODE OF CRIMINAL PROCEDURE AMENDMENT BILL.

Mr. ONSLOW asked the First Lord of the Treasury, If there is any truth in the report that the Viceroy of India in Council proposes to modify what is commonly known as "Mr. Ilbert's Bill;" and, if so, if he would state the nature of the modification?

Mr. GLADSTONE: Sir, we have had no information of any kind in the direction indicated by the hon. Member's Question. In fact, no communication on the subject has been received from the Viceroy since the despatch on the 13th of February, which despatch was included in the Papers laid on the Table.

Mr. ONSLOW asked whether Her Majesty's Government had suggested any modifications?

Mr. GLADSTONE: Sir, I am not aware of our having suggested any modifications. I think our course is to receive any propositions which the Viceroy may make; but I have no reason to suppose that it is intended to make any.

## PUBLIC WORKS (IRELAND).

Colonel NOLAN asked the First Lord of the Treasury, If, in view of the distress which will probably prevail in the West of Ireland during the next three months, he will be prepared to facilitate the construction of railways and other useful public works by guaranteeing a minimum rate of interest on the capital invested in such railways or tramways as the Government may approve of?

Mr. GLADSTONE, in reply, said, that his right hon. Friend the Chancellor of the Exchequer and the Treasury were carefully considering what they could do in the way of reducing to a lower standard the rate of interest on behalf of valuable and useful public works in Ireland, with a view to relieve the distress which might prevail; but he was not able to say that they were prepared to entertain the proposition to guarantee a minimum rate of interest on railways or such works.

## SOUTH AFRICA—THE TRANSVAAL CONVENTION, 1881.

Mr. SALT asked the First Lord of the Treasury, Whether, in the event of a rising of the Natives of South Africa in sufficient strength to imperil the safety of the Boers of the Transvaal, the Suzerain of that Country is in any way bound by the Convention of 1881 to interfere for their protection; since it appears that the Clauses of the Convention that have been framed for the protection of the Natives are practically inoperative?

Mr. GLADSTONE: Sir, the Question relates to a contingency that the Transvaal Government may be put in peril by an insurrection of the Natives, and is founded on the assumption that the clauses for the protection of the Natives have failed in their effect. I am not prepared to make any admission to that effect; because I do not think that our knowledge is such as to justify any statement of that kind on the part of the Government. But with respect to a condition of things in which the Government of the Transvaal would have occasion to apprehend danger from the Natives, that is an extremely remote contingency, in reference to which I am not aware that there is anything in the Convention which directly bears upon it. In such a contingency the conduct of the Government must be directed by general considerations and the principles of right and equity.

Mr. GORST asked whether, as appeared to have been intimated "elsewhere," the Government had expressed any intention of revising the Convention?

Mr. GLADSTONE: I am not aware that such a statement has been made "elsewhere." If so, I think the hon. and learned Member must have referred to a statement by my noble Friend the Secretary of State for the Colonies (the Earl of Derby) that this Convention is not to be regarded as an inviolable and unalterable document. The hon. and learned Member himself knows very well that at the time it was concluded the Transvaal Government pressed for certain changes in it, and Her Majesty's Government suggested that the Convention must first be fairly tried. In my opinion, a state of things is now ripening in which the Government can entertain proposals for altering the Convention.

Mr. JOSEPH COWEN asked whether, before any alteration in the Convention was concluded by the Government, the House would be furnished with an opportunity of expressing an opinion on the subject?

Mr. GLADSTONE: I think it would be premature to enter into a subject which must remain for future consideration.

### PARLIAMENT—INLAND REVENUE DEPARTMENT—GRIEVANCES OF OFFICERS—RIGHT OF PETITION.

Lord RANDOLPH CHURCHILL: Sir, I have received 150 Petitions from officers of the Inland Revenue with regard to the Circular issued by the Treasury; and I now wish to ask if the Chancellor of the Exchequer will guarantee that the parties who have signed those Petitions, which are perfectly in Order, and the form of which I may say was submitted to the Speaker before being signed, shall be in no way punished, molested, threatened, or interfered with, directly or indirectly, by the Inland Revenue Board?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): The noble Lord asked precisely the same Question some short time ago. ["No!"] At all events, it was the same in spirit, if not in words. He was not satisfied with my answer, and appealed to you, Sir, on the subject, and you ruled that the Question had been answered. To that answer I have nothing to add.

Lord RANDOLPH CHURCHILL: Is the House to understand that the Chancellor of the Exchequer will give no guarantee that the Government will not interfere with public servants petitioning the House of Commons?

Subsequently,

Mr. RAIKES said: With reference to the Question of the noble Lord (Lord Randolph Churchill), to which the Chancellor of the Exchequer has made no reply, I should like to ask him, having regard to the very great importance of the Question, if he can give the House any assurance with regard to these Petitions that the Government would not take any course which must bring the Executive into collision with the Privileges of the House of Commons?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): My simple answer to that would be that the Government will certainly take no course which would bring the Executive into collision with the Privileges of this House. But the Question was asked before, and you, Sir, gave such a plain answer as to the conditions on which Petitions should be presented, that I considered the matter had been fully determined.

Lord RANDOLPH CHURCHILL: Certain Members, Sir, are not aware of the exact nature of the statement you made; and I would like, therefore, to ask you, Sir, whether any interference by a Minister of the Crown with any person presenting a Petition to this House in regular form is not a high breach of the Privileges of this House?

Mr. SPEAKER: I am bound to answer all Questions on points of Order as they arise; but I am not bound to deal with hypothetical cases.

## PARLIAMENT — MINISTER OF AGRICULTURE AND COMMERCE.

Mr. DUCKHAM: I wish to ask the Prime Minister whether he will communicate to the House what measures have been taken, if any, for carrying out the engagement entered into by the Government with regard to the appointment of a Minister of Agriculture?

Mr. GLADSTONE: Sir, the engagement we entered into was to make improved and, as we hope, efficient arrangements for the special and separate consideration of agricultural interests and affairs, and we have given effect to it in this way. An Order of Council has been sanctioned by Her Majesty, which will be presented, I believe, to-morrow; and when presented my hon. Friend and all other Members will have an opportunity of forming an opinion upon it. The general effect of the Order is to direct that certain Members of the Privy Council—being Members, of course, of the Government—be appointed a Committee of Council for the consideration of all matters relating to agriculture; and, in the words of the Order, these matters—

> "Are to be and are hereby ordered to be referred to the said Committee, to consider the same, and report thereon to Her Majesty."

The head of that Committee will be the Lord President of the Council; and, in his absence, it is directed that all proceedings of the Committee shall be presided over by the Chancellor of the Duchy of Lancaster.

Mr. MONK: May I ask whether there will be any Order in Council with regard to a Minister of Commerce?

Mr. R. H. PAGET asked if it was intended that the new Committee should have an office and a staff for obtaining and recording the information, and collecting agricultural statistics?

Mr. GLADSTONE: Undoubtedly, Sir, we shall now proceed to consider whether a separate office will be required for the purpose, or whether the building of the Privy Council Office is sufficient. It is a question which I could not answer on the spur of the moment; but unquestionably sufficient means must be provided for dealing with the business relating to agriculture that will come before this Committee. In answer to my hon. Friend the Member for Gloucester (Mr. Monk), I have to say that the President of the Board of Trade is, to all intents and purposes, a Minister of Commerce. The only question for consideration—a not unimportant one, I admit—is that of the division of business between the Board of Trade and the Foreign Office with respect to communications and negotiations with foreign countries; but with regard to that I do not think that any dissatisfaction will exist. But that is a separate point, which may be decided without prejudice to the public interest. I may add that more than 40 years ago, when I was at the Board of Trade, the management of all these questions was in the hands of the Board of Trade; and it might, perhaps, be thought expedient in the public interest if it were so again.

Sir STAFFORD NORTHCOTE: Is it intended to present any Estimate for the purpose of carrying this arrangement into effect?

Mr. GLADSTONE: Certainly, Sir; that will be requisite. I think it is desirable that the House should have an opportunity of considering the matter. Although we have been studious to incur no unnecessary expense, some changes in the existing Estimates will be necessary, and possibly some minute and insignificant addition; but that will amply suffice for the purpose of bringing the matter before the House.

## PARLIAMENT—BUSINESS OF THE HOUSE.

Sir STAFFORD NORTHCOTE asked the First Lord of the Treasury, Whether, after the close of the debate on the first Order, it was proposed to proceed with the Annuity Bill, or with the Customs and Inland Revenue Bill?

Mr. GLADSTONE: I shall beg to postpone the Annuity Bill till Monday. It is intended to proceed with the Customs and Inland Revenue Bill.

Sir STAFFORD NORTHCOTE: At what hour?

Mr. GLADSTONE: At any hour in case of public necessity.

Sir WALTER B. BARTTELOT asked whether the Prime Minister would consent to the adjournment of the debate on the Parliamentary Oaths Bill at a reasonably early hour, in order to give time for the discussion of the Amendment of the hon. Member for Preston (Mr. Ecroyd) to the Customs and Inland Revenue Bill?

Mr. GLADSTONE said, that he had no reason to suppose that the debate on the Affirmation Bill would last beyond midnight, after which hour they could proceed to the consideration of the Bill mentioned by the hon. and gallant Baronet.

Sir STAFFORD NORTHCOTE said, that a strong feeling was manifested the other night that a fair opportunity ought to be given to the hon. Member for Preston, who desired to bring forward an important Amendment to the second reading of the Customs and Inland Revenue Bill. If the discussion on the Parliamentary Oaths Bill were closed at a reasonable hour, there might be time for the discussion of the Amendment of his hon. Friend.

## *ORDERS OF THE DAY.*

## PARLIAMENTARY OATHS ACT (1866) AMENDMENT BILL.—[Bill 89.]

(*Mr. Attorney General, The Marquess of Hartington, Secretary Sir William Harcourt, Mr. Solicitor General.*)

SECOND READING. [ADJOURNED DEBATE.]

[SECOND NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [23rd April], "That the Bill be now read a second time."

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir R. Assheton Cross.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

Sir H. DRUMMOND WOLFF said, the discussion in which they were engaged was unusually important, because they were asked not only to pass a Bill which would enfranchise the junior Member for Northampton, but to agree to a measure which would admit into the House a class hitherto unable to take the Oath. They were asked, on the present occasion, not to extend toleration to persons of other creeds than that professed by the majority of hon. Members, but to divorce the House from the very elements of religion. The Attorney General had informed the House that Peers might be summoned to the House of Lords who were known to hold views not entertained by the Christian community, and that if they chose to take the Oath and their seats they could do so without hindrance. He should like to know upon what basis the hon. and learned Gentleman founded the *dictum* that the House of Lords could not prevent a Peer taking his place under circumstances similar to those in which Mr. Bradlaugh stood in relation to the House of Commons. For his part, he believed that if a Peer were summoned to the House of Lords, and were to inform the Clerks at the Table that he claimed exemption from the Oath on the ground that he could not admit its binding force, the House of Lords would be quite entitled to refuse to administer the Oath to him; and if he should take his seat without taking the Oath, although he would not expose himself to the penalty of losing his seat, he would render himself liable to the pecuniary penalties which could be recovered in such a case if the Attorney General decided to set the law in motion. That view of the law, he might add, was entertained by high authorities. The Attorney General represented Lord Campbell as laying down that the words "So help me God" formed no part of the Oath; but in the Statute which enacted the Oath the words "So help me God" were included within inverted commas together with the other words of the Oath. The House was discussing an Act passed in 1866; and how Lord Campbell, who died in 1861, could have uttered a *dictum* by which an Act placed on the Statute Book after his death ought to be interpreted passed his comprehension. If his hon. and learned Friend had referred to the Act itself he would have seen that the words in question did form part of the Oath, for they were distinctly included in the words which Members were required to subscribe on taking their seats. The opinion of the Lord Chancellor was opposed to that of the Attorney General, for the noble and learned Lord recently laid down that—

> "All previous enactments relating to oaths were repealed by the Statute of 1866, which was, therefore, the only law now in force upon this subject. The question was considered in the Court of Appeal without reference to any repealed Statutes, and in the same way as if there had been no prior legislation on the subject."

The Attorney General went on to say that the disqualification of a Member in consequence of proceedings connected with the Oath ought to be direct, and that direct notice of it ought to be given to the constituency electing him. But he would point out that there was a great distinction between a man's right to election and his right to take his seat and vote. The truth of that was shown by what took place in 1864. In 1859 a law was passed in connection with the affairs of India for the purpose of limiting the number of Under Secretaries who could take seats in that House. By some oversight the number was exceeded in 1864, and a Committee was appointed to inquire whether the extra Under Secretary lost his seat in consequence or not; and it was decided that though the Under Secretary had been duly elected, and had not forfeited his seat, he could not vote. The disqualification under which Mr. Bradlaugh laboured must have been known to his constituents at the time of his election. Mr. Bradlaugh was a very intelligent man. He knew the law very well, and he must have known that the Common Law of the land did prohibit an Atheist from taking an Oath; and, being a professed Atheist, he must have been aware that unless he concealed the fact of his Atheism when he came to the Table of the House he would not be entitled to take the Oath, however often he might have been elected by the people of Northampton. The Evidence Amendment Act, it should be borne in mind, was not passed for the purpose of relieving Atheists, but for the purpose of furthering the ends of justice by exposing an Atheist who should give false evidence after having affirmed to the penalties imposed for perjury. But it was impossible to affix those penalties to the Oath that had to be taken before this House, which was merely binding on the conscience of the person taking it. Therefore, it was useless to take the Evidence Amendment Act as affording any sort of analogy to the Oath to be taken before the House. The case of the admission of Jews and Roman Catholics was not a parallel one, though often quoted, and no analogy was to be drawn from it to the case of Mr. Bradlaugh, because there it was a question between believers in a common God, while here it was one between believers and unbelievers. Neither Jews nor Catholics asked to be admitted to the House for the purpose of destroying the religion of others; they only asked, as believers, to be placed on the same footing as other believers, although there were some differences in their belief. At the present time the whole of the Atheists in this country were directing the most violent attacks against the dominant religion; and the hon. Member for Northampton was put forward by the school of writers to which he belonged as the champion of Atheism against Christianity and the belief in a God. On the 10th of February *The Secular Review* wrote that Christianity was about to fight one of the last of its pitched battles, and make one of the last of its struggles for the sanctity of its God, and one of its last efforts to impose its Oath upon the credulity of the ignorant. That was the prologue to the attempt now made by the Government in this Bill to enable Atheists to come into the House of Commons. It was perfectly plain, from the writings of Atheists, that they were not merely asking for equality with other persons, but that it was their desire to make use of their entry into the House to damage or destroy the existing religions of the country. He maintained that no arguments founded on religion, freedom, and toleration were applicable to the case of men who desired to enter the House only that they might do injury to religion, and carry on their attacks against religions and beliefs. Theists acknowledged a Supreme Power and a law greater than themselves; but the Affirmation under this Bill gave no security, for it was based on the denial of God, and, therefore, there was no guarantee that it would be carried out. He wished to call attention to the course of conduct which had been pursued by the Lord Chancellor with reference to these transactions. He did so with every respect for the Lord Chancellor's high Office; but the House would see that, by his acts and words, his Office as Minister had been brought into collision with the due administration of justice. In 1866 the noble and learned Earl, then Sir Roundell Palmer, was Attorney General when the Parliamentary Oaths Bill was introduced. It was brought in by the present Prime Minister, then Chancellor of the Exchequer, and Sir Roundell Palmer defended it against Amendments brought forward by Mr.

Disraeli and Sir Hugh Cairns. Sir Roundell Palmer must have known the effect of a Bill, of which he was one of the authors, being brought in by a Government of which he was the Law Adviser. When the Resolution allowing the Member for Northampton or any other Atheist to make Affirmation, subject to any legal liability that might attach to the Act, was brought in by the Prime Minister in 1880, the right hon. Gentleman said that it was a sense of the stringency of the obligation which had induced him and his Colleagues to take that matter into consideration, and which then induced him to submit that proposal to the House. The question had, therefore, been then fully considered by the Prime Minister and his Colleagues, including the Attorney General of 1866, who had advocated and probably counselled the Bill. The right hon. Gentleman the Prime Minister observed, in conclusion—

> "It is well he should be left to be tried by the tribunals of the country, which have full means of conducting the trial, and which will acquit or condemn him according to law."

When a question was raised as to Mr. Bradlaugh's liability to be sued in a Court of Law, the Solicitor General made use of language which conveyed to the House the impression that there was a liability, under the Statute, to be sued by a common informer. If the Government had then considered the question, why did they allow the Solicitor General to make that statement? And if they had not considered it, surely the Lord Chancellor was not the proper person to judge between the country and Mr. Bradlaugh. Had the Solicitor General not stated that Mr. Bradlaugh was liable to be prosecuted by an informer, the House would probably not have agreed to the Resolution permitting him to affirm, because the House would not have considered that a Government which advocated the cause of Mr. Bradlaugh would be likely to prosecute him. At all events, Her Majesty's Government had no right to allow the House to remain under the impression, which was uncontradicted at the time, and had not been contradicted till the present time, that the statement of law by the Solicitor General was correct. But the Government had availed themselves of the misleading statement of the Solicitor General, and it was not the first time that the House had seen the Government sit quiet when misleading statements were made and take advantage of them. They knew what the Government did in the case of the Kilmainham Treaty. On the 30th of March the Bradlaugh case came before the Court of Appeal, which confirmed the judgment of Mr. Justice Mathew that an Affirmation could not be made. There was then no further appeal but to the Lord Chancellor, and he was, at the time, practically seized of the question from the fact that there was no other Court than that in which he sat which could possibly decide it. The Lord Chancellor took that opportunity of writing a letter to a friend, in which he said—

> "I have never had the slightest difference, or tendency to a difference, with my Colleagues in the Government on any question relating to Parliamentary Oaths or Affirmations, whether connected or not with Mr. Bradlaugh's case."

Bearing in mind that the Prime Minister had told them that he and his Colleagues had considered the question, and that the Solicitor General had stated that Mr. Bradlaugh could be prosecuted by a common informer, what were they to conclude when the Lord Chancellor said that he had never differed from his Colleagues on this question? Did he agree with the Prime Minister that the subject had been considered by the Government and by the Solicitor General, and that a common informer could prosecute? But when the case came on for judicial decision on a question in which the Government, of which the Lord Chancellor was a Member, was so vitally concerned, the Lord Chancellor ought, in his opinion, to have withdrawn himself from the trial of the case altogether. He (Sir H. Drummond Wolff) was sorry to say he did not do so; and the noble Earl's example had been followed by another Judge, not Ministerial, whom he would not mention by name, but who had recently taken the opportunity to give utterance to political opinions in the midst of a great judicial judgment. The Lord Chancellor had, it was true, written to the papers to the effect that he would not be responsible for the publication of that letter. That reminded him of the doctrine put forward by Molière in *Tartuffe*—"*Ce n'est pas pécher que pécher en silence.*" The doctrine that a fault committed in silence was no fault at all might be suitable for *Tartuffe*; but it was scarcely worthy the adoption of the Keeper of the Queen's Conscience. One argument for the Bill was based on the fact that Affirmations were permitted to Quakers. Their Affirmation was accepted, because it was known that their consciences were governed by the same laws as governed the minds of others; but there was no security for the observance of Mr. Bradlaugh's Affirmation, because it was based on the denial of a God. The only security they had that the Affirmation would be carried out thus depended upon the arbitrary will of the person who made it. When this question first came before the House he ventured to oppose the entry of the hon. Member for Northampton on grounds very similar to those which he had now stated. The opposition then given to the introduction of Mr. Bradlaugh had now received the approbation of the vast majority of the people of the country—of the clergy as well as the laity. The Petitions which had been presented were certainly five against the Bill for every one in favour of it. They knew that the Wesleyan ministers and people were both, in a large majority, opposed to the Bill. ["No!"] He could not quite take the hon. Member's denial upon this point, because he himself spoke from statistics about which there could be no doubt, whereas the hon. Member spoke from personal feeling. In the same way, the noble Lord the Member for Haddingtonshire (Lord Elcho) had truly expressed the feeling of Scotland by instancing the opinions of the religious bodies, when he stated that Scotland was opposed to the Bill; whereas the hon. Member for Aberdeen (Mr. Webster) had asserted that his country was in favour of the measure, not because of his own knowledge, but because he was in its favour himself. He had no hesitation in asserting that public opinion was generally against this Bill; and it was because he believed that public opinion was against the measure, and because he believed that it shocked the feeling of the greater portion of the population of this country, and certainly was contrary to the views and principles that had been inculcated in that House since it was a House, that he should give the Bill his most strenuous opposition.

Mr. GLADSTONE: Sir, strictly speaking, it is no part of my duty to do more than to follow, as well as I can, the arguments which have been used against this Bill. It appears to me, however, that while the real issue to be dealt with is not a very wide one, the debate has been extraordinarily prolonged by the introduction into it of extraneous matter. The debate has, undoubtedly, been an animated one. On the other side of the House all that sarcasm and invective could do, all the interest which could be supplied by assaults on the Government and by lengthened details of its iniquitous proceedings, has been called into requisition, I will not say with the purpose, but undoubtedly with the effect, of very greatly widening the field of contention, without, I think, the compensating effect of clearing the judgment of hon. Members. The hon. Gentleman who has just sat down has made a most temperate speech, and in consequence he cannot have failed to perceive that the portion of the discussion which was occupied with his speech was less animated than most of the debate during which Gentlemen on his side of the House were speaking. I may say, however, that I do not defend my noble and learned Friend the Lord Chancellor against his invective. I leave him subject to the whole weight of the censure which has been pronounced by the hon. Member, although, being an argumentative censure, it might, perhaps, have not been difficult to defend the noble and learned Lord. The hon. Member has said but two things that really bear upon the question at issue, or which could possibly be held to be in the nature of an argument against the Bill. One is that the voice of the country, as shown by Petitions, is against the Bill, and the other is that by the law at this moment an Atheist cannot sit in the House. [Lord Randolph Churchill: An avowed Atheist.] Of course, I do not speak of persons whose opinions are concealed. My contention is exactly the reverse of the hon. Member's. I will not say what is the intention of the law, because with that I have nothing to do; but I say that there is no legislative power whatever that can prevent Atheists duly elected from sitting in this House; and I think, moreover, that the hon. Member himself will meet me so far as to say that it was an accident—for it is an accident relatively to this argument—that led to the disclosure of Mr. Bradlaugh's opinions, and which enabled the steps to be taken which excluded Mr. Bradlaugh from this House. But an Atheist, however notorious, who has published in the columns of the newspapers of the very morning that he comes to the Table of this House to take the Oath the fullest declaration of his Atheism, is not a person whom the hon. Gentleman, or this House, has any power whatever to exclude. If he—whether well-advised or ill-advised is not the question — chooses to take the Oath, there is no power whatever to prevent him. As I have said, there are many collateral matters which have been introduced into this debate, and some of them it is my duty to notice. The debate has proceeded so far that it has become perfectly practicable to understand, after the lucid statement of my hon. and learned Friend near me (the Attorney General), what is the tone and what are the objections of those who are against the Bill. In the first place, it has been said that this Bill ought to have been mentioned in the Queen's Speech, and the Government have been complained of for not having given it a place in that Speech. In our view, however, this was a Bill which ought not to have been mentioned in the Queen's Speech. It is the duty of the Government, before they advise Her Majesty as to Her Speech, to make choice, according to the legislative requirements of the country, of certain topics which they think it is within the power of the House of Commons and most for the interest of the country to deal with; and they should make their choice upon grounds of broad and general interest. This, Sir, is a question in quite a different category. My noble Friend the Secretary of State for War signified—and, I think, with perfect truth—that this was not a question to which, on general grounds of legislative urgency, it would be our duty to give precedence over the multitude of general subjects now standing in arrear. This measure is of a totally different character; it is a question upon which it was our duty to consider what was the position of the House of Commons, just as last year it was our duty to consider the position of the House with regard to the question of procedure, and to invite the House to deal with it even to the prejudice of the legislation of the year. We thought it did appertain, both to the dignity of the House of Commons and to the interest of the country, that this painful controversy which has subsisted so long should be brought to a close, and that there should be no longer the temptation which has existed in this House to deal with matters strictly judicial in a temper and with indications not always presenting the best features of the judicial character. We thought, Sir, that such scenes as have been witnessed here, when the dignity of the House and directions of the House have had to be supported by physical force, ought not to be repeated—and ought not to be repeated especially when we had reason to believe that increased pain and increased scandal might attend their repetition. It was, therefore, on grounds special to the position of the House of Commons in this matter that we thought this question entitled to take precedence of some others, and to be a primary one in regard to the procedure of this House, although it was a secondary one in its dignity so far as the order of legislation was concerned. And, Sir, I may just remind the House that a precisely similar occasion, except that it was, I admit, far less pressing, occurred in the year 1854. In that year Lord John Russell, as Leader in this House, on the part of the Government of Lord Aberdeen, introduced a Bill for the purpose of altering the Parliamentary Oaths Act, with a view to the further relief of Roman Catholics, and to the general simplification of the Oath. That, certainly, was a Bill of much wider scope than the present, for it went to re-cast the law with regard to the duties of Members generally; and it corresponded in substance with the Bill afterwards introduced and passed, and now forming the fundamental Statute on the subject—the Act of 1866. And yet that Bill of 1854 was never mentioned in the Speech from the Throne. Well, Sir, I am afraid that, after what we have heard from some Gentlemen opposite, and, most of all, from the right hon. Gentleman the late Home Secretary (Sir R. Assheton Cross), I shall make a very dull, unexciting, and uninteresting speech; for, unlike him, I do not mean to accuse anybody of anything. Nor shall I travel in detail over the numerous points of the vehement attack of the right hon. Gentleman. I will, however, refer to a single point. The right hon. Gentleman said that we had deprived our Bill of retrospective action; that the Bill introduced in 1880 included retrospective action, and that this change was, on our part, in the moderate language that the right hon. Gentleman thought fit to adopt, "a most despicable trick." Let me explain this "despicable trick." In the year 1880 the law had never been determined on the optional right of a Member to affirm. Consequently, Mr. Bradlaugh, who sought to affirm, had been returned by his constituents without any knowledge on their part that he was precluded from taking his seat by affirming. That being so, when we thought it expedient to ask the House to change the existing law, we thought it right also that that change should be made retrospective, so that his constituents, who have committed no offence against the known law of the land, might not suffer. But the case now is fundamentally changed. I am not finding fault with the constituency —it is no part of my duty to do so—but the case now is this—that the Courts of Justice have declared that Mr. Bradlaugh is not entitled to affirm. The constituency returned Mr. Bradlaugh a second time, with the full knowledge that that declaration of the law had been made; and we therefore considered that we should not ask the House to make the present Bill retrospective in its action. The constituency before was unwarned; the constituency now is forewarned. We deal in one way with the constituency unwarned. We deal in another way with the constituency forewarned; and that is what the right hon. Gentleman, in his moderation of language, thinks fit to characterize as a "most despicable trick."

SIR R. ASSHETON CROSS: I was referring to the Bill as brought in this year. I said after the constituency had learnt that Mr. Bradlaugh could not take his seat they elected him again, and that to bring in the Bill of this year, after that, was a despicable trick.

MR. GLADSTONE: It seems to me that it is an extraordinary doctrine to hold, that if a Government, upon full and further consideration of the particulars bearing upon a point of this kind, sees cause to come to a certain conclusion, that that is a "despicable trick." The question is—Is the conclusion a right one or a wrong one? If the conclusion is a right one, I want to know what title the right hon. Gentleman has to characterize it, in his moderate language, as a "despicable trick?" The ground upon which we make, or propose to make, an alteration in the Bill is the ground I have stated. Now, it is said—"You ought not to alter the law for the sake of one person." But it so happens that these laws are commonly altered for the sake of one person. It is in the case of some one person that a principle is raised and a matter brought to an issue. Was not the case of Mr. O'Connell a case in point? ["No!" *from some Irish Members.*] I say, upon the Parliamentary history of the question, there is nothing more clear or better known than this—that it was the election of Mr. O'Connell for the county of Clare that brought the Roman Catholic question to an issue; and now the allegation is not that Mr. Bradlaugh has nobody behind him, but that his is the sole case presented. Certainly, I must say that this is a curious objection to proceed from the Party opposite, because it has had to deal with the question of removing religious disabilities. After having most stoutly opposed the admission of Jews to Parliament, upon principles quite as high, and with motives quite as conscientious, as those on which they are now acting, when they came into Office they introduced a Bill for their admission. And how did that Bill run? It ran in this precise form. It makes provision for altering the law and Rules of the Houses of Parliament upon the presentation of one person. I will not read the whole of the clause; but it runs thus—"When it shall appear that a person"—*a person*—[*Cries of* "Temporary."] It was nothing of the kind. If the hon. and learned Member opposite will have the kindness to wait a moment he will see from the following part that it is an act to be done once for all, and not an act to be done from time to time, and, consequently, an act to be done when the case should arise as to one person. The clause provides that—

> "When it shall appear to either House of Parliament that a person is prevented from taking his seat," by the then condition of the law, "such House may resolve that henceforth *any* person"

may come and take his seat upon the conditions therein provided. So that the law was fixed by each House; and it was deliberately arranged by the action of a Government representing the views of Gentlemen opposite that when a Jew was found to be excluded by the state of the law, it was thenceforward open to each House, if it thought fit, to admit, once for all, that Jew, and every other Jew after him, who should apply to be admitted. Now, we are asked, what is to done about Peers? What is to be done about aliens and about felons? I am not sure the objection did not proceed from some legal authority, that if we pass this Bill, we should be in a difficult position with regard to the present disqualification of aliens, felons, or Peers. [Lord RANDOLPH CHURCHILL: The clergy.] No; I beg pardon. The case of clergymen I put upon an entirely different footing altogether. I gather from the interruption of the noble Lord that he thinks it is a matter of high and sacred duty to rigid Constitutional principles to exclude clergymen from this House. I hold it, on the contrary, to be a matter exceedingly open to discussion, and merely a policy of expediency, involving no Constitutional principle whatever. But with regard to aliens, Peers, and felons—though I am sorry to place the Peers in such company—their disqualification rests upon the ancient and well-understood principles of the Common Law of England. The disqualification of the unbeliever rests upon nothing of the sort. I think my hon. and learned Friend the other night distinctly demonstrated that by the Common Law of England there is no disqualification of this character. I know it is said that Christianity is part of the Common Law; but am I to be told that, if it is so, every man who is not a Christian is an offender against the Common Law? If so, it is an extraordinary mode of interpreting the law. But it has been shown that no Oath or religious test of any kind was ever used by this House as a condition precedent to entrance into it until the Reign of Elizabeth; and that, when an Oath was then introduced, it was not introduced in the slightest degree as a religious test. [Mr. NEWDEGATE signified dissent.] I will show my hon. Friend—if he will allow me to call him so, and I think, after having sat opposite to him for 40 years, I am entitled to use that term—I will show my hon. Friend that it is so. I will give a proof of that, and it is that the religious test was then applied to Commoners only and not to Peers, and the Act of Parliament declared the reason why it was applied to Commoners and not to Peers. "Because"—so ran the Act—"we are otherwise persuaded, by sufficient means, of the loyalty of the Peers." Therefore, it was a simple mode of ascertaining loyalty to the institutions of the country, and not of imposing religious disability. I venture to say, as a matter of history, that that was the principle of our law down to the year 1828. If that be so, I think it will be very difficult to maintain that there is any disqualification of the unbeliever by the Common Law of England. You may tell me that it was not then merely a question of the admission of Atheists to this House, but a question of permitting them to live. That was perfectly true, I think, at least down to the year 1614, for as late as that year the ancestors of those of us who are of English blood burnt a certain person for deficiencies in respect of belief. He was not, however, an Atheist; he was an Arian—so that people had better look out if this doctrine comes again into vogue. The fact is, that the State gradually adopted the principles of toleration, but, where it tolerated, it did not interpose barriers against access to this House. That is the historical principle which, I think, it will be found difficult to shake. In 1828 it appears to have been the view of the Legislature that no one should come into the House—however loyal, however competent—without being bound to profess the faith of a Christian; but it is a totally different matter for us to deal with a statutory disability created in 1828, or another statutory disability created a century before in the case of the clergy, and to deal with disqualifications like those of aliens and felons, which are founded on reason, and which are established by the ancient Common Law of the land. Well, some Gentlemen say there are a great many Petitions against this Bill, and that they are far more numerous than any Petitions in its favour. I think there may have been some exaggeration in this matter; but the late Home Secretary said—I presume by mistake—that the President of the Wesleyan Conference had signed a Petition on behalf of that Body against the

Bill. That has been decidedly disclaimed by the rev. gentleman himself.

SIR R. ASSHETON CROSS said, he was glad to have an opportunity of explaining that the Petition sent to him was signed on behalf of the Committee of the Conference, of which the President was Chairman; but the words were those of the Secretary, who sent it.

MR. GLADSTONE: I understand it was a mistake. The impression has gone abroad that the head of the Wesleyan Body has signed a Petition against the Bill; but this gentleman himself has disclaimed having done so. I have received a letter myself, signed by Dr. Kennedy, hon. Secretary of the three denominations of Protestant Dissenting ministers, in which he says—

> "I have the honour of forwarding for presentation a Petition from the general body of the three denominations of Protestant Dissenting ministers in and around the City of London and Westminster in favour of the Bill."

But I think it is only just to this gentleman and those on whose behalf he writes to read out some additional words. He says—

> "The personal associations which are at present connected with the objects contemplated in this Bill are so painful and offensive to the body which I represent, that nothing but a strong sense of duty would induce them to send this Petition to the House."

These words have a very deep meaning. Do you suppose that we do not feel pain? Do you suppose that we are unaware how difficult—how all but impracticable—it has become to do what we believe to be strict justice in the face of such associations? If you do not know this, you ought to know it; and if you do know it, you ought not, from your place in this House, to deride us, and sarcastically to advise us to inscribe upon our banner "Bradlaugh and Blasphemy." Sir, I believe that every one of us intending to vote for this Bill feels that it is indeed difficult to do justice under such circumstances. But the difficulty is the measure of the duty and the honour; and just as if we were in the jury-box, and a person stood before us under a criminal charge, we will put a strong hand of self-restraint upon ourselves, and we will take care that full justice—nothing more and nothing less—shall be awarded to every citizen of England. In these considerations, as I believe and am persuaded, is to be found the reason why so many who feel it a duty to support this Bill have, notwithstanding, shrunk from exposing themselves to the odium so very freely cast on its supporters by those who oppose it. But I am bound to say a little more than that. The people who have subscribed Petitions against this Bill are very numerous. I think they may be four times the number of those who have subscribed in favour of it. I speak of their motives with the most unfeigned respect. I am persuaded that they have acted under the influence of what are called, and justly called, religious instincts. In my opinion, upon broad questions of principle, which stand out disentangled from the surrounding facts, the immediate instincts and sense of the people are very generally right. [*Opposition cheers.*] I am heartily glad to find that there is an echo to that sentiment from the quarter from which these sounds have just proceeded. But I cannot say that this is a uniform and unbending rule. It does, unfortunately, sometimes happen that, when broad principles are disguised by the incidents of the case, the momentary opinion, guided by the instincts of the populace—though I do not admit that it is at all proved that it is the vast mass of the population which has petitioned in the present case—is not a safe guide. If I were to make an exception to the general rule as to the justice of the instincts of the people—and it is an exception not dishonourable to them—I should trust them far more upon questions where their own interests are concerned than on questions where the prepossessions of religion are concerned. The latter is a class of questions on which we must be careful against taking momentary indications of public feeling for our guide. They express the feelings, as opposed, in many instances, to the judgment, of the people. This is no assumption of mine; and I would ask those who have studied the history of the year 1829, when the great Act of Roman Catholic Emancipation was passed—do they believe that that Act of Emancipation at the moment represented the feelings of the majority of the people of Great Britain? No, Sir; it was distinctly against them. It was a combination of the guides of the people, who took upon them the duty of instructing the people. It was the Leaders, not on one side, but on both sides, who, superior to the temptation of gathering momentary profit from an appeal to religious prejudice, took upon themselves the responsibility, in their capacity as legislators, of doing that which they believed and knew to be right, trusting to the people to do them justice and to recognize their motives. Am I to go back further into history? I might quote cases of popular risings under the influence of not untrue, though misguided religious instincts, which have disgraced the annals of this country. I will give an instance which I think a very fair one. It will be remembered that, about 130 years ago, this House and the Legislature passed an Act for the purpose of naturalizing the Jews. A great popular movement immediately took place against it. Are you to look back upon that movement, and say—"Poor, ignorant wretches, what compassion we feel for you?" No, Sir; these men, according to the knowledge and feelings of their day, were acting under the same impulses and upon the same principles as the Petitioners of to-day. They thought that to admit the professor of another religion, founded upon or absolutely involving the denial of Him who is the Alpha and Omega of our religion—they thought, or at least their instincts told them, that there was something in that Act which tended to impair the Christianity of the country; and there is precisely the same feeling now, only allowing for the difference that has since been made in the political education of the country, that is conveyed in these Petitions. It often happens that a private person is called upon to rule and overrule his impulses and feelings. So it must be in the State; and what the sovereign reason ought to do in the individual, the Leaders of Parties ought to do in the State. It is nothing but a combination of the Leaders of Parties that can direct aright questions of this kind, where religious prepossessions are involved, where the facts are but very partially known out-of-doors, and where the people have no means of sounding the difficult legal questions and complicated arguments that puzzle even many Members of this House. If these Leaders of Parties do not see their way to the performance of that duty, or think their duty lies in the opposite direction, then I, for my part, cannot be surprised that large numbers of the people should, under the influence of sentiments which I regard with the highest respect and honour, take a direction which I believe to be wrong, and which I am convinced is unjust. The right hon. Gentleman the late Home Secretary the other night spent more than half an hour by that clock in detailing the guilty conduct of the Government in regard to Mr. Bradlaugh. [*Opposition cheers.*] I did not require the assurance that hon. Gentlemen opposite were pleased. They showed me on Monday night that they were extremely pleased. They would have been pleased if, instead of half an hour, he had taken an hour and a-half upon topics so inviting and racy in their character. But the question I humbly put to these hon. Gentlemen is, what in the world has that conduct to do with the matter? Supposing it were all true—supposing it were not half adequate, as a description of what they think the true guilt of the Government—it has nothing whatever to do with the question before us. If the Bill were the best Bill upon earth, it ought to pass if the conduct of the Government were ever so bad; but if the Bill be a bad Bill, it ought not to be passed, though the conduct of the Government may have been ever so good.

But I shall very briefly, and I hope in not more than one-tenth part of the time used by the right hon. Gentleman, reply that I do not resent the words that have been used, and I do it the more freely because it is the pleasure of hon. Members opposite to ascribe to me a peculiar sympathetic enthusiasm in this cause—to imagine that, by some latent affinity, or on some other inscrutable ground, I am possessed with a missionary zeal in driving forward with all my might the admission of Atheists to the House of Commons. What I wish to point out is this—we have rendered no assistance whatever to Mr. Bradlaugh. Did the House of Lords assist Mr. Bradlaugh last week? Did Lord Coleridge assist Mr. Bradlaugh last week? ["Yes!" *and* "Oh, oh!"] If you mean that the effect of what we have done has been in the direction of admitting Mr. Bradlaugh to this House, that I do not deny; but the House of Lords and Lord Coleridge have no more assisted Mr. Bradlaugh than the two Courts which declared one after the other that he had no title to affirm in this House have opposed him. Our contention has been all along that, from the first to the last, with much less perfect and available means of judgment than Judges in Courts of Justice, we have been under precisely the same obligations. We have endeavoured to keep the proceedings of this House within the bounds of law and of Constitutional order; and it is no secret to you that in our opinion they have not been kept within those bounds, owing to the voice of a majority which requires from us a respectful obedience, but which requires and is entitled to nothing more. The right hon. Gentleman opposite says that three times I abdicated the position of Leader of this House. Sir, if the words are to be used at all, it is not a case of abdication, but of deposition. But I am astonished at the doctrine of the right hon. Gentleman. He knows our ground. He knows that we were insisting upon what we thought our judicial duty; and yet he affirms that when a view of judicial duty opposite to ours has been taken, we, who had been acting in the name of judicial duty, were to become instruments to devise the means of giving effect to the judgment of our opponents. I repel and repudiate, with all my soul, that servile proposition. I am willing to part with the seat and with the place I hold; but I am not willing for one moment to give in to such a doctrine. We have endeavoured to support to the best of our power the Executive authority of the House. [*Opposition cries of* "No, no!"] That cry of "No!" only shows that the facts have not been carefully watched; but to ask us to take upon ourselves the responsibility of applying votes of this House which we believe to involve radical injustice, and which, I believe, speaking for myself, without hesitation or scruple, to be such as, in the case of a minor authority, would be termed illegal—to ask me to make myself an instrument of devising means for carrying such votes into effect—that, Sir, is a demand which I utterly reject, and which I hold to be totally unsupported by any fact that has occurred in the best ages of our Parliamentary tradition. I must say I think it is very strange that these accusations should be brought. It may be that hon. Gentlemen opposite have something to bias them towards a particular course, which brings political profit. I am making no accusation. I say it may be that they have something to bias them in that direction. But what could we have to bias us in the direction we have taken? Do you suppose that we are ignorant that, in every contested election that has happened since the case of Mr. Bradlaugh came up, you have gained votes and we have lost them? You are perfectly aware of it. We are no less aware of it. But, if you are perfectly aware of it, is not some credit to be given to us who are giving you the same under circumstances rather more difficult—is not some credit to be given to us for presumptive integrity and purity of motive? Sir, the Liberal Party has suffered, and is suffering, on this account. It is not the first time in its history. It is the old story over again. In every controversy that has arisen about the extension of religious toleration, and about the abatement and removal of disqualifications, in every controversy relating to religious toleration and religious disabilities, the Liberal Party has suffered before, and it is now, perhaps, suffering again; and yet it has not been a Party which, upon the whole, has had, during the last half century, the smallest or the feeblest hold upon the affections and approval of the people. Who suffered from the Protestantism of the country? It was that Party—with valuable aid from individuals, but only individuals, who forfeited their popularity on that account—it was that Party who fought the battle of freedom in the case of the great Roman Catholic controversy, when the name of Protestantism was invoked with quite as great effect as the name of Theism is now, and the Petitions poured in quite as freely then as at present. Protestantism stood the shock of the Act of 1829. Then came on the battle of Christianity, and the Christianity of the country was said to be sacrificed by the Liberal Party. There are Gentlemen on the other side of the House who seem to have forgotten all that has occurred, and who are pluming themselves on the admission of Jews into Parliament, as if they had not resisted it with perfect honesty—I make no charge against their honour, and impute no unworthy motive—as if they had not resisted it with quite as much resolution as they are exhibiting on the present occasion. Sir, what I hope is this—that the Liberal Party will not be deterred, by fear or favour, from working steadily onward in the path which it believes to be the path of equity and justice. There is no greater honour to a man than to suffer for what he thinks to be righteous; and there is no greater honour to a Party than to suffer in the endeavour to give effect to the principles which they believe to be just.

Up to this time I have detained the House on what I take to be extraneous and collateral matter, but matter which has been largely introduced into the speeches we have heard in the course of this debate. Now, let us try to get at the heart of the argument, which, after all, is not a very complex, although I must say it is historically, and from every point of view, an extremely interesting matter. The business of every man in controversy is to try to find out what is the main and governing contention of his adversary. Sir, I have laboured to find that out, and I think I have probably found it: I hope so. As I read it, the governing contention is this—that the main question for the State is not what religion a man professes, but whether he professes some religion or none. I was in hopes of receiving some confirmatory testimony from the other side. I might dispense with proofs, but I will give them. The right hon. Gentleman who led the opposition to this Bill said that this was not a question of difference of religion, but that it was a question between religion and irreligion—between religion and the absence of all religion—and clearly the basis of the right hon. Gentleman's speech was that we were to tolerate any belief, but that we were not to tolerate no belief. I mean by tolerating to admit, to recognize, to legislate for the purpose of permitting entrance into the House of Commons. My hon. Friend the Member for Finsbury (Mr. W. M. Torrens), in an able speech, still more clearly expressed similar views. He referred to the ancient controversies as all very well; they touched, he said, excrescences, and not the vital substance. Now, Sir, I want to examine what is the vital substance, and what are the excrescences. He went further than this, and used a most apt, appropriate, expressive, and still more significant phrase. He said—"Yes; it is true you admit religions some of which may go near the precipice; but now you ask us to go over it." Gentlemen opposite cheered loudly when that was said by the hon. Gentleman behind me. They will not give me a single cheer now. They suspect I am quoting this with some evil intent. The question is, am I quoting them fairly? or is it the fact that some Gentlemen have not sufficiently and fairly considered their relation to the present Bill, except that they mean to oppose whatever proceeds from the Government? But my hon. Friend has considered very well what he said when he used the remarkable simile about the precipice. I wish to see what is the value of this main and principal contention—this doctrine of the precipice —this question between religion and irreligion, between some belief which is to be tolerated, and no belief which cannot be tolerated—that is to say, so far as it relates to admission into this House. The hon. and learned Gentleman the Member for Launceston (Sir Hardinge Giffard) held exactly the same language. He adopted a phrase which had fallen from the hon. Member for Portsmouth (Sir H. Drummond Wolff), which he thought had been unfairly applied; and he said he wished that there should be some form of belief, and some recognition of belief—something of what is called in philosophical discussion the recognition of the supernatural. That, I believe, is a phrase which goes as near to what hon. Gentlemen opposite mean as anything can. It is the recognition of the existence, at any rate, of the supernatural that is wanted. That is the main contention of the Party opposite; and what I want to know is, whether that contention—that proposition—offers us a good solid standing-ground for legislation. Whatever test is applied—the test of the Constitution, the test of civil and political freedom, or, above all, the test of religion, and of reverence for religious conviction, I do not hesitate to say that, confidently as I support this Bill, there is no one ground upon which I support it with so much confidence, as because of what I think is the utter hollowness and falseness of the argument that is expressed in the words I have just cited, and in the idea that is at the bottom of those words, and the danger of making them the basis of Constitutional action. Sir, what does this contention do? In the first place, it evidently violates civil freedom to this extent—that, in the words of Lord Lyndhurst—which are as wide as anything that any Gentleman on this side could desire—there is to be a total divorce between the question of religious differences and the question of civil privilege and power; that there is to be no test whatever applied to a man with respect to the exercise of civil functions, except the test of civil capacity, and a fulfilment of civil conditions. Those were the words of Lord Lyndhurst—those are the words on which we stand. It is now proposed to depart from this position, and to say that a certain class of persons, perhaps a very narrow class—I do not argue that now—because it is said to have no religion is to be excepted, and alone excepted, from the operation of that great and broad principle. In my opinion, it is in the highest degree irrational to lay down a broad principle ofthat kind, and after granting 99-100ths of all, it means, to stop short, in order to make an invidious exclusion of the exceedingly limited number of persons who may possibly be affected by, and concerned in, its application. Hon. Gentlemen will, perhaps, be startled when I make my next objection to the contention of the opponents of the Bill. It is, that it is highly disparaging to Christianity. They invite us to do that which, as a Legislature, we ought never to do —namely, to travel over theological ground, and, having taken us upon that ground, what is it that they tell us? They tell us that you may go any length you please in the denial of religion, provided only you do not reject the name of the Deity. They tear religion—if I may say so—in shreds, and they set aside one particular shred of it, with which nothing will ever induce them to part. They divide religion into the dispensable and the indispensable—I am not speaking now of the cases of those who declare, or who are admitted under special laws, and I am not speaking of Jews or any of those who make declarations—I am speaking of those for whom no provision is made, except the provision of the Oath, let that be clearly understood—they divide, I say, religion into what can be dispensed with and what cannot be dispensed with, and then they find that Christianity can be dispensed with. I am not willing, Sir, that Christianity, if an appeal is made to us as a Christian Legislature, should stand in any rank lower than that which is indispensable. Let me illustrate what I mean. Supposing a commander has to despatch a small body of men for the purpose of some difficult and important undertaking. They are to go without baggage and without appliances. Everything they take they must carry on their backs. They have to dispense with all luxuries and all comforts, and to take with them only that which is essential That is precisely the same course which you ask us to take in drawing us upon theological ground. You require us to distinguish between superfluities and necessaries, and you say in regard to Christianity—"Oh, that is one of the superfluities—that is one of the excrescences, that has nothing to do with the vital substance—the great and solemn name of the Deity—which is indispensable." The adoption of such a proposition as that—and it is at the very root of your contention—seems to me to be in the highest degree disparaging to the Christian faith. I pass to another point. The hon. Member for Finsbury made a reference to Mr. O'Connell, whom he stated that he knew well. I will not say, Sir, that I had as much personal knowledge of Mr. O'Connell as my hon. Friend may have had, though I did know something of him personally, as well as politically; but, when I was a very young man, in the second year of my sitting in Parliament—in the old House which was burned down half-a-century ago—I heard a speech from Mr. O'Connell, which, although at that time I was bound by Party allegiance to receive with misgiving and distrust anything he said, made a deep impression upon me, and by which I think I have ever since been guided. It is to be found, not in *Hansard*, but in the record which, for a few years, was more copious even than *Hansard*, and which went under the name of *The Mirror of Parliament.* On the 18th February, 1834, Mr. O'Connell used these words in a speech on the Law of Libel; and I echo every word my hon. Friend said with regard to the deep religious convictions and the religious consistency of that remarkable man,—he used, Sir, these words—

> "When I see in this country the law allowing men to dispute the doctrine of the Trinity, and the Divinity of the Redeemer, I really think, if I had no other reason, I should be

justified in saying that there is nothing beyond that which should be considered worth quarrelling for, or which ought to be made the subject of penal restrictions."

I am convinced that upon every religious, as well as upon every political ground, the true and the wise course is not to deal out religious liberty by halves, by quarters, and by fractions; but to deal it out entire, and to leave no distinction between man and man on the ground of religious differences from one end of the land to the other. But, Sir, I go a little further in endeavouring to test and to probe this great religious contention of the "precipice," which has been put forward, amidst fervent cheers from hon. Gentlemen opposite, by my hon. Friend behind me (Mr. W. M. Torrens); and I want to know, is your religious distinction a real distinction at all? I will, for the sake of argument, and for no other purpose whatever, go with you on this dangerous ground of splitting religion into slices, and I ask you—"Where will you draw the line?" You draw it at the point where the abstract denial of God is severed from abstract admission of the Deity. My proposition is, that your line is worthless. There is much on your side of the line which is just as objectionable as the Atheism on the other side. If you call on us to draw these distinctions, let them be rational distinctions. I do not say let them be Christian distinctions; but let them be rational distinctions. I can understand one rational distinction, that you should frame the Oath in such a way that its terms should recognize, not merely the acknowledgment of the existence of the Deity, but the providence of the Deity, and man's responsibility to the Deity, and in such a way as to indicate the knowledge in a man's own mind that he must answer to the Deity for what he does, and is able to do. But is that your present rule? No, Sir. You know well that from ancient times there have been sects and schools that have admitted in the abstract, just as freely as the Christian admits, the existence of a Deity, but who have held that, though Deity exists, yet of practical relations between Him and man there can be none. Many Members of this House will recollect, perhaps, the noble and majestic lines—for such they are—of the Latin poet—

"Omnis enim per se divôm natura necesse est,
Immortali ævo summa cum pace fruatur;
Sejuncta a nostris rebus, semotaque longe.
Nam privata dolore omni, privata periclis,
Ipsa suis pollens opibus, nihil indiga nostri,
Nec bene promeritis capitur nec tangitur ira."

"Divinity exists"—as these, I must say, magnificent words set forth—"in remote, inaccessible recesses of which we know nothing; but with us it has no dealing, with us it has no relation." Sir, I have purposely gone back to ancient times, because the discussion is less invidious than the discussion of modern schools of opinion. But, Sir, I do not hesitate to say that the specific evil, the specific form of irreligion, with which in educated society in this country you have to contend, and with respect to which you ought to be on your guard, is not blank Atheism. That is a rare form of opinion, and it is seldom met with. But what is frequently met with are those various forms of opinion which teach us that whatever there be beyond the visible scene, whatever there be beyond this short span of life, you know and can know nothing of it, and that it is a visionary and a bootless undertaking to endeavour to establish relations with it. That is the specific mischief of the age; but that mischief you do not attempt to touch. Nay, more; you glory in the state of the law that now prevails. All differences of religion you wish to tolerate. You wish to allow everybody to enter your Chamber who admits the existence of Deity. You would seek to admit Voltaire. That is a specimen of your toleration. But Voltaire was not a taciturn foe of Christianity. He was the author of that painful and awful phrase that goes to the heart of every Christian—and goes, I believe, to the heart of many a man professing religion who is not a Christian—*écrasez l'infâme.* Voltaire was a believer in God; he would not have had the slightest difficulty in taking the Oath; and you are working up the country to something like a crusade on this question; endeavouring to strengthen in the minds of the people the false notion that you have got a real test, a real safeguard; that Christianity is still generally safe, with certain unavoidable exceptions, under the protecting *ægis* of the Oath within the walls of this Chamber. And it is for that you are entering on a great religious war! I hold, then, that this contention of our opponents is disparaging to religion; it is idle; and it is also highly irrational. For if you are to have a religious test at all of the kind that you contemplate—the test of Theism, which the hon. Member for Portsmouth frankly said he wished to adopt—it ought to be a test of a well-ascertained Theism; not a mere abstract idea dwelling in the air, and in the clouds; but a practical recognition of a Divine Governing Power, which will some day call all of us to account for every thought we conceive, and for every word we utter.

I fear I have detained the House for a long time. But after all that has been said, and after the flood of accusation and invective that has been poured out, I have thought it right at great length and very seriously to show that, at all events, whether we be beaten or not, we do not decline the battle, and that we are not going to allow it to be said that the interests of religion are put in peril, and that they are to find their defenders only on the opposite side of the House. That sincere and conscientious defenders of those interests are to be found there I do not question at this moment; but I do contend with my whole heart and soul that the interests of religion, as well as the interests of civil liberty, are concerned in the passage of this measure. My reasons, Sir, for the passing of the Bill may be summed up in a few words. If I were asked to put a construction on this Oath as it stands, I probably should give it a higher meaning than most Gentlemen opposite. It is my opinion, as far as I can presume to form one, that the Oath has in it a very large flavour of Christianity. I am well aware that the doctrine of my hon. and learned Friend the Attorney General is, that there are other forms of positive attestation, recognized by other systems of religion, which may enable the Oath to be taken by the removal of the words "So help me God," and the substitution of some other words, or some symbolical act, involving the idea of Deity, and responsibility to the Deity. But I think we ought to estimate the real character of this Oath according to the intention of the Legislature. The Oath does not consist of spoken words alone. The spoken words are accompanied by the corroborative act of kissing the Book. What is the meaning of that? According to the intention of the Legislature, I certainly should say that that act is an import of the acceptance of the Divine revelation. There have been other forms in other countries. I believe in Scotland the form is still maintained of holding up the right hand instead of kissing the Book. In Spain the form is, I believe, that of kissing the Cross. In Italy, I think, at one time, the form was that of laying the hand on the Gospel. All these different forms meant, according to the original intention, an acceptance of Christianity. But you do not yourselves venture to say that the law could be applied in that sense. A law of this kind is like a coin spick-and-span brand-new from the Mint carrying upon it its edges in all their sharpness and freshness; but it wears down in passing from hand to hand, and, though there is a residuum, yet the distinctive features disappear. Whatever my opinion may be as to the original vitality of the Oath, I think there is very little difference of opinion as to what it has now become. It has become, as my hon. Friend says, a Theistic test. It is taken as no more than a Theistic test. It does, as I think, involve a reference to Christianity. But while this is my personal opinion, it is not recognized by authority, and, at any rate, does not prevail in practice; for some Gentlemen in the other House of Parliament, if not in this also, have written works against the Christian religion, and yet have taken the Oath. But, undoubtedly, it is not good for any of us to force this test so flavoured, or even if not so flavoured, upon men who cannot take it with a full and a cordial acceptance. It is bad—it is demoralizing to do so. It is all very well to say—"Oh, yes; but it is their responsibility." That is not, in my view, a satisfactory answer. A seat in this House is to the ordinary Englishman in early life, or, perhaps, in middle and mature life, when he has reached a position of distinction in his career, the highest prize of his ambition. But if you place between him and that prize not only the necessity of conforming to certain civil conditions, but the adoption of certain religious words, and if these words are not justly measured to the condition of his conscience and of his convictions, you give him an inducement—nay, I do not go too far when I say you offer him a bribe to tamper with those convictions—to do violence to his conscience in order that he may not be stigmatized by being shut out from what is held to be the noblest privilege of the English citizen —that of representing his fellow-citizens in Parliament. And, therefore, I say that, besides our duty to vindicate the principle of civil and religious liberty, which totally detaches religious controversy from the enjoyment of civil rights, it is most important that the House should consider the moral effect of this test. It is, as the hon. Member for Portsmouth (Sir H. Drummond Wolff) is neither more nor less than right in saying, a purely Theistic test. Viewed as a Theistic test, it embraces no acknowledgment of Providence, of Divine Government, of responsibility, or of retribution. It involves nothing but a bare and abstract admission—a form void of all practical meaning and concern. This is not a wholesome, but an unwholesome lesson. Yet more. I own that although I am now, perhaps, going to injure myself by bringing the name of Mr. Bradlaugh into this controversy, I am strongly of opinion that the present controversy should come to a close. I have no fear of Atheism in this House. Truth is the expression of the Divine mind; and however little our feeble vision may be able to discern the means by which God will provide for its preservation, we may leave the matter in His hands, and we may be quite sure that a firm and courageous application of every principle of justice and of equity is the best method we can adopt for the preservation and influence of truth. I must painfully record my opinion that grave injury has been done to religion in many minds—not in instructed minds, but in those which are ill-instructed or partially instructed, which have a large claim on our consideration—in consequence of steps which have, unhappily, been taken. Great mischief has been done in many minds through the resistance offered to the man elected by the constituency of Northampton, which a portion of the community believe to be unjust. When they see the profession of religion and the interests of religion ostensibly associated with what they are deeply convinced is injustice, they are led to questions about religion itself, which they see to be associated with injustice. Unbelief attracts a sympathy which it would not otherwise enjoy; and the upshot is to impair those convictions and that religious faith, the loss of which I believe to be the most inexpressible calamity which can fall either upon a man or upon a nation.

MR. STANLEY LEIGHTON complimented the right hon. Gentleman on the pulpit character of the oration he had just delivered; but whether it was of the character which qualified the right hon. Gentleman for the pulpit of the Hall of Science, of the Tabernacle, or of the Abbey, he would not at that moment inquire. The reasons which actuated the supporters of the Bill were of two kinds. Some were avowed and some were concealed, and the former were false and hollow, and the latter only were true. The chief argument for the Bill was that a constituency had a right to elect whom it chose. That was an untrue argument; a constituency had not the right to elect anyone whom it might choose, inasmuch as many people were undoubtedly disqualified from sitting in that House by the law as it stood. Among those whom the law of Parliament disqualified were Atheists; their disqualification was made patent on their coming to the Table, and saying that they could not acknowledge the binding force of the Oath. When hon. Members opposite said that every constituency had a right to elect whom it chose, they really meant that a constituency ought to have the right to elect whom it chose, which was a very different thing. The question of the abolition of all tests was one well worthy of reconsideration. At the proper time, he would be perfectly willing to discuss the whole issue. But that was not the issue before the House. They must not overlook the fact that, in the very Affirmation which they proposed to substitute for the Oath, tests were retained. The Affirmation was, in the first place, a test of whether a Member was literate or not, for he must subscribe it. In the second place, it was a test in the sense that it implied that the person who subscribed it possessed a conscience; and, thirdly, it was a test of allegiance. Why should hon. Members opposite, who were anxious to abolish the test of Theism, be willing to retain those three other tests? The arguments carried their supporters too far. The last motive for the Bill of those which were avowed was a pretended desire to save the Oath from profanation. They might as well abolish stealing by abolishing the rights of property. But all those reasons were founded in insincerity. The true motive and real reason for this Bill were these. There was a Convention of Northampton as well as a Treaty of Kilmainham, and it was in order to carry out the agreement of the Northampton Convention that the House was asked to pass this Bill. Mr. Bradlaugh had in effect, at the last General Election, said—"I will manage Northampton for you, if you, the Government, will manage the House of Commons for me." Whether the agreement was reduced to writing, he was not able to say; but he felt sure that there were at least nods and winks between the Government and Mr. Bradlaugh. There was, moreover, a material as well as a moral consideration for the Bill; and it lay in this—that the right hon. Gentleman and his Party had been assisted at the General Election to a degree not generally recognized by the votes of the disciples of Mr. Bradlaugh, who were scattered throughout the constituencies of England; and it was the necessity of self-preservation, not the spirit of self-sacrifice, that had compelled the Government to bring forward this Bill. The Bill was nothing more nor less than an electioneering job of the lowest and basest sort. It would have been at least honest if the Government had brought in a pure and simple Bradlaugh Relief Bill. The Bill might have had a Preamble like this—

> "Whereas Mr. Charles Bradlaugh, Poet, Philosopher, Economist, Patriot, &c., has been duly elected for the town of Northampton, and would add weight, dignity, and respectability to this House of Commons; and whereas the said Mr. Charles Bradlaugh is prevented from taking his seat by certain Rules and Orders of the House; therefore, it is hereby enacted that these Rules and Orders shall be suspended."

He should be very glad to support such a Bill if he could be assured that such a description could be truly made regarding Mr. Bradlaugh. He knew nothing of Mr. Bradlaugh personally; he had not, like the Prime Minister, learnt his poetry by heart in order to quote it to Greenwich audiences. He thought it rather unfair that even while they were asking the House to pass the present Bill, hon. Gentlemen opposite seemed to cold-shoulder Mr. Bradlaugh as if there were something repulsive about him. He thought the country had a right to complain that the Government had not treated this question in an honest and straightforward manner. The Prime Minister reminded him of Mr. Facing-both-Ways of *The Pilgrim's Progress.* Mr. Facing-both-Ways walked down the street arm-in-arm with Mr. Bradlaugh and a Baptist minister. To the one he said, "The backbone of Liberalism is Nonconformity;" to the other, "But Atheism is one of its vertebra."

Mr. GLADSTONE: I wish, Sir, to make an explanation. I stated an inaccuracy to the House in a matter which I am anxious to set right. I was under the impression that the Bill introduced by my hon. and learned Friend the Attorney General had been introduced before the re-election of Mr. Bradlaugh. I find it was introduced after his re-election; consequently, the only explanation I have to give in lieu of what I gave before of our wish not to make the Bill retrospective is that, on the whole consideration of the rights of the case, we think it ought not to be retrospective, especially as the precedent of Mr. O'Connell and the principles applicable to the case point to the duty of submitting it as a non-retrospective measure.

Mr. DALY said, he wished to make some observations upon this question, because it was one which was regarded with very grave and prominent interest by the constituency he had the honour to represent. He had listened with the greatest attention to the eloquent speech of the Premier, but had failed to glean from it one single reason for the promotion of this Bill. The Premier had referred to the Bill introduced in 1854 by Lord Russell, to the emancipation of the Catholics in 1829, and later on to the modification as regarded the entrance of Jews into the House. But he (Mr. Daly) had failed to see the relevancy of all those instances. The object of the Bill was to enable any person at option to make an Affirmation instead of taking the Oath, and the necessity for that was essentially based on the admission of Mr. Bradlaugh, or of persons who thought with him. The question of the modification of the Oath did not apply to this matter at all. The earliest instance of the non-necessity for persons to take the Oath was that of the Society of Friends; but in the Affirmation they had to take there was a distinct announcement that they made the declaration in the presence of Almighty God. It was true those words were expunged later on, but that arose from the dislike on the part of the members of that Society to have the name of God introduced. Neither was the modification made in favour of the Jews a case in point, because, if the Jews denied the Messiah, they agreed in the existence of a Divine Being. The Premier had also referred to the case of O'Connell; but there was no earthly parity between his case and that of Mr. Bradlaugh. Could it be said that Mr. Bradlaugh represented millions of Atheists? O'Connell was a Catholic, a great and good Catholic, and would the Premier attempt to say that Mr. O'Connell did not more represent millions of Catholics in Ireland than did Mr. Bradlaugh Atheists in the United Kingdom? The present question was not in any sense a question of religious liberty. The Bill was plainly introduced to facilitate the entrance into Parliament of persons who did not believe in a God at all, and he thought that such a sentiment as that would be most dangerous to faith and morals. He did not wish to make any personal allusion as regarded Mr. Bradlaugh, but he must consider him as not fit to be in Parliament. This Bill, if passed, he could assure the House, would be more dangerous to faith than to morals. He could understand the abolition of the Parliamentary Oath altogether. He could understand Parliament saying to persons elected by constituencies—"We, having confidence in your loyalty and religion, take your seats." But there was so large an element of unbelief in this country that provision should be made for persons who, like Mr. Bradlaugh, declared that the Oath was an unmeaning form of words. Mr. Bradlaugh had vaunted his Atheism before the public, and never lost an opportunity of doing so; and if this Bill were passed it would be regarded by the mass of the people as the triumph of Atheism and the triumph of Bradlaugh. Was it, then, prudent of the Government to give such a stimulant and encouragement to such a person? He (Mr. Daly) represented the views of a very large number of persons, not only in his own constituency, on this subject; and one of his principal reasons for objecting to the Bill was that, rightly or wrongly, he considered that all legislation should be based upon religion. He had no desire to apply a religious test to any man coming to the Table, nor to penetrate into the recesses of his mind if he made any profession; but he held that a great wrong and a great injustice would be inflicted upon the community if the House decided by solemn vote that room should be made for Mr. Bradlaugh and his apostles. He would ask the House why he had never seen a Speech from the Throne prepared by Cabinet Ministers that did not contain a reference to the Divine Power? If, therefore, they implored the Divine Power to guide them, why did they admit Mr. Bradlaugh, who denied the existence of that Divine Power? The name of religious liberty had been invoked and introduced into the subject, but such an introduction was a prostitution of the name. Here they had an indignant community protesting against the introduction into an Assembly which made the laws and guided the morals of the people of a man who denied the existence of a God. The effects and consequences of the Bill would be most dangerous, and his own conviction was that had it not been for mob terrorism and the physical discomfort of the presence of mobs in Trafalgar Square they would never have heard of it. It was impossible to conceal the fact that the movement had been fomented by the lowest and worst of the working classes in the United Kingdom, and should it pass it would be regarded as the triumph of Atheism over religion and law.

Mr. COURTAULD said, that although he had voted against Mr. Bradlaugh being allowed to take the Oath, he had, nevertheless, no hesitation in supporting the Bill that was now before the House.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. COURTAULD, resuming, said, a great deal had been said in the course of the discussion about the claims of religious liberty. He had always been a staunch friend of religious liberty, although he sometimes feared that the idea of religious liberty was in danger of being, so to speak, vulgarized, by its being thrust forward into places where there was no legitimate room for it. Endeavours had been made by some of his hon. Friends upon that side of the House, and by a portion of the public

Press that was patronized, and he believed in some cases inspired, by them, to show that those who wished to prevent Mr. Bradlaugh from taking the Oath were enemies of religious liberty. That was their idea, but it was not his. After all, it was not very easy to get a clearly-cut definition of religious liberty which all must accept. It must be, to a great extent, a matter of opinion what did, and did not, constitute religious liberty. In the case to which he had alluded, the question before the House was, not whether Mr. Bradlaugh should be refused admittance because of his religious or irreligious opinions, but whether, being an avowed Atheist, he ought to enter the House by way of the Oath. He (Mr. Courtauld) held very strongly that the Oath was not the way by which he ought to enter; and that for any man to take the Oath, ending, as it did, with words solemn and sacred, while avowing, at the same time, that those words were to him idle nonsense, would be nothing more nor less than what the right hon. Gentleman the Member for North Devon had pronounced it to be—a profanation of the Oath. But the question now before the House was a very different one; and, with respect to that question, the principle of religious liberty came, in his judgment, prominently and distinctly to the front. The ground of opposition to the Bill, cleared of technical matters of no importance to the principle of it, was that Atheists, because they are Atheists, should not be allowed to sit in that House. Now, he held that to keep any duly-elected Member out of the House because of his religious or irreligious opinions, whether those opinions ran to Infidelity on the one hand, or to superstition on the other, was an undoubted breach of the principle of religious liberty. It could not be pretended that any danger was likely to accrue to the State from the introduction of an Atheist into that House. While regarding Atheistic views as most deplorable, yet he saw no reason why an Atheist might not be, in spite of his Atheism, a loyal subject and a good citizen.

Lord ALGERNON PERCY said, that no one who had watched the course of the debate could have failed to be struck by the want of argument displayed by those who supported this measure. They dealt little, if at all, with the principles that were involved, and certainly the speech of the hon. and learned Gentleman the Attorney General was no exception to this. The hon. and learned Gentleman had given the House a most interesting history of successive Parliamentary Oaths; but the history of Parliamentary Oaths had little to do with the question before the House. This Bill differed entirely from its predecessors, for their object was to remove the religious disabilities of those who had conscientious objections to taking the Oath; but this Bill would make a similar change for those who had no religion at all, and could not have a religious objection to taking an Oath. He was surprised to hear the Prime Minister place Jews and Quakers in the same category as Atheists. That was an insult to the faith of both the Jew and the Quaker. The Affirmation was described as "solemn," and that implied that it was something more than a mere Affirmation; it involved the acknowledgment of a Supreme Being, who was able to punish in the event of the Affirmation being made falsely. The Quaker, believing that God was displeased with an Oath, reverently affirmed; and his fear of the Almighty was, to use a legal expression, the sanction of his Affirmation, just as it was in the case of the man who took the Oath. The Quaker's Affirmation was really an Oath in another form; but that could not be the case with the Atheist, who believed in no Supreme Being, nothing superior to himself, and therefore could not fear his displeasure. He might affirm deliberately, he might promise, but he could not solemnly affirm, and therefore his Affirmation was not a substitute for an Oath. The Affirmation which Mr. Bradlaugh was prepared to make was that he would bear "true allegiance to Her Majesty Queen Victoria, Her heirs and successors, according to law;" but he (Lord Algernon Percy) found that Mr. Bradlaugh, in one of his speeches, had some time ago said—

> "We hope the Prince of Wales may have fair play: if he does, he will never be King of England."

And in some poetry written with his approval these lines appeared—

> "We are sworn to put Tyranny down,
> We strike at the Throne and the Crown;
> To arms, Republicans!"

He (Lord Algernon Percy) would leave

the House to reconcile these two facts. It was said by the hon. Member for Chelsea (Mr. Firth) that the existence of Mr. Bradlaugh was an accident, and no doubt it was an unfortunate accident for the Government; but, as it existed, it could not be overlooked. So long as the union of Church and State existed it was absurd to deny that the government of the country rested on religious foundations. Lord Eldon said that that union was meant, not to make the Church political, but to make the State religious. The religious character of the State was attested by many things—by the motto of the Royal Arms, by the words "Dei Gratia" on our coins, by the Oath, and the Bible on the Table of the House, and by the Prayers with which the proceedings of the House were opened. All showed that we acknowledged the supremacy of the Almighty. This Bill was for removing an obstacle which no one felt but an avowed Atheist, and one who had been foremost in his attacks on the Christian religion and the religious feeling of the country. It was said that tests were inoperative; but the very attack made upon this test proved the contrary. At present, if Atheists obtained a seat in the House of Commons, they did so by making an outward acknowledgment of the Supreme Authority upon which all our governing institutions were based, and the responsibility of so doing rested with them and not with the House. But this was a Bill to admit Atheists as Atheists to have a seat in the House; and, if the Bill passed, the responsibility would be removed from them and thrown on the House of Commons, and through them on the country. There could be no doubt that the Bill was simply an Atheists' Relief Bill, and that it had been forced on the House by Mr. Bradlaugh and the mob which came down to the House with him at the opening of Parliament; and, twist and turn as the Government might, or raise any number of clouds they pleased, in that light the Bill would be regarded by the opponents of the measure and by the people of the country. If this measure should pass, there would be no logical argument against abolishing the Coronation Oath or the "Prayer for the High Court of Parliament." The hon. Member for Chelsea (Mr. Firth) was honest enough to say so, for he had welcomed this measure as a step towards the abolition of the unnecessary invocation of the Supreme Being from all our public acts, and especially the proceedings of this House, remarks which met with signs of approval from the Members of Her Majesty's Government. The word "unnecessary" was capable of very wide interpretation. It was not long ago that the cry "*A bas Dieu!*" was heard in the streets of Paris. That cry was raised by an ignorant and revolutionary mob; but the spirit of that cry was contained in the Bill which had now been brought forward by what had been called the best Government that ever occupied the Treasury Bench. When elected in 1880 this question did not enter into their programme; they dared not now appeal to the country upon it, because, if they did so, they knew that they would have a very large majority against them, as in pressing forward this measure they represented, not the best feelings of the nation, but the interests of Atheists and Socialists.

Mr. DICK-PEDDIE said, that the noble Lord had adduced no argument that had not been repeated *ad nauseam.* His own purpose in rising was to meet the statement made by several Members as to what were the indications of public opinion in this country in the matter, and especially as reference had been made to the public opinion of Scotland. It was a very curious phenomenon to see Scottish Tory Members referring to public opinion in Scotland, as their defence for the action they were taking against the Bill. Those hon. Gentlemen were not often guided by public opinion in Scotland. They were, in nine cases out of ten, distinctly opposed to the public opinion there. There was no such thing as a public opinion in Scotland against this Bill. The public opinion of Scotland was unmistakably for the Bill. There had certainly been more Petitions against the Bill than for it; but they must look, not only at the number of these Petitions, but to the nature of the Petitions. He ventured to say that the Petitions which came from Scotland did not at all express the public opinion of Scotland. There were many of them, certainly, from Churches, but certainly not from all Churches, and the Churches which were most advanced in intelligence had not sent a single Petition against the Bill. From the United Presbyterian Church, which was the most advanced and intelligent in the country, not one Petition had come against the Bill, but one had been presented in favour of it. There were Petitions from the Church of Scotland, which was the proper ally of the Tory Party, and the rest of the Petitions were almost entirely either from Orange Lodges, which were the most insignificant bodies in Scotland, or, curiously enough, from the county of Banff, which seemed to be behind the rest of Scotland in intelligence, for it had sent up 27 Petitions against the Bill. The true test of the opinion of Scotland was the opinion of her Representatives. In every division on this question, from 1880 to the present time, the vast majority of Scottish Members had been found voting for the provisions which gave access to the House, not to Mr. Bradlaugh, but to all men, whatever their religious opinions might be. There could be no worse index to the opinion of any country than the opinions of the Churches. On religious matters they could be looked to as guides, but on political questions they were very unsafe guides indeed. The right hon. Member for Montrose (Mr. Baxter) the other night spoke of the opinion of Scotland as being for this Bill, and spoke of even "bigoted Scotland" appearing in that attitude. If bigotry consisted in strict adherence to religious principles, Scotland was bigoted; but if it consisted in intolerance towards others, Scotland was not a bigoted country. He had heard more bigotry from the other side of the House than he had heard in Scotland in his whole life. Scotsmen said in this case that the rights of citizenship should not be made to any extent to depend on religious opinions. If the holding of religious opinions was necessary to a seat in the House, he did not see why it should not be necessary in the case of those who voted in sending Members to the House. The great majority of the Scottish people, notwithstanding these Petitions, agreed with the Prime Minister that the retention of the Oath, as now understood, was dishonouring to Christianity itself as well as irrational. He could assure the Government that whatever support they might get from other parts of the Kingdom, they would get from Scotland not only a unanimous support, but the support of the vast majority of the country in passing this Bill. In conclusion, he had to thank the Prime Minister for several statements of principle made in his speech which would not be forgotten by Nonconformists. Amongst others, that in which he had laid down in the most emphatic way at the end of his speech that in the eye of the law, whatever religious opinions a man might hold, it should make no difference with him.

Viscount LEWISHAM said, that, however anxious they might be to keep Mr. Bradlaugh out of the controversy, it was unfortunate that in whatever way they looked at the measure he was the principal figure before them. He would like to ask the Prime Minister why, if this measure was of such importance, and Mr. Bradlaugh had had nothing to do with it, he had taken no steps to introduce it before? If, on the other hand, the measure were not of such importance as to require to be brought in earlier, why were other measures, admittedly of great importance, and which were mentioned in the Speech from the Throne, now set on one side for it? He wished to say that the impression conveyed to the mind of the hon. Member for Poole (Mr. Schreiber) by the words of the noble Lord the Secretary for War was the same as that conveyed to his own mind, and that impression was confirmed by what appeared in the report of *The Times*. The noble Lord was understood to state that the reason why this Bill was not alluded to in the Royal Speech was because it was not usual to include any measures in the Queen's Speech which were not considered of the greatest importance. Very scant courtesy was shown to hon. Members on that side of the House on the first introduction of this Bill, by its being brought in without a word of explanation. But after listening to the speech of the Attorney General on the second reading of the measure, it was easy to understand why the Government said so little. Their arguments were so flimsy that they were anxious to postpone explanations as long as possible, and he had no doubt that if Mr. Bradlaugh had not forced the hand of the Government the Bill would never have been introduced at all. The demonstration of Mr. Bradlaugh passed off quietly when it was notified to two meetings at which Ministers were present that some measure was to be introduced.

Could it be doubted that the introduction of the Bill, following immediately after that demonstration, would be most likely to give the notion that it was in consequence of that demonstration that the Bill had been brought in, seeing that it was not mentioned in the Queen's Speech? In this matter, as in many other matters, the Government had followed the fatal policy of concession to mob agitation. The Conservative Party had been accused of putting a false issue before the country. He did not say that false issues had not been raised; but they had not been raised by the Conservatives. One false issue was put before the country, when it was said that the Tories were fighting against religious freedom. Why, not only the Tories, but many more Liberals throughout the country than the right hon. Gentleman imagined, were fighting against the tyranny of irreligion which the Government was endeavouring to force upon them. It had been said that all who took the Oath without believing in a Supreme Being violated it; that was most regrettable; but the weak part of the present measure was the support given to the denial of a Supreme Being. The alterations which had been made permitting persons of various religious beliefs to affirm seemed to him no precedent for passing a Bill to admit Atheists who believed in nothing but themselves. If the Prime Minister had no doubt of the feeling of the country on this subject, why did he not give the country an opportunity of showing it? Hitherto the feeling of the country had only been shown by the Petitions sent in. Large as the Liberal programme was at the last Election, it was not large enough to admit an Affirmation Bill; and, therefore, before the Bill passed, the country should have an opportunity of declaring its opinion. They had been told—he believed it was by the Home Secretary—that the Conservative Government came in on beer, and went out on water, and that was to a certain extent true; but let hon. Members on the other side take care that as they had came in on brag, they did not go out on Bradlaugh. He should do his best to oppose the Bill whenever and wherever it was brought under his notice.

Mr. INDERWICK said, hon. Gentlemen opposite had described this Bill as a Bradlaugh Relief Bill. Well, he admitted it did partake in a great measure of that character, because Mr. Bradlaugh was probably the first person who would have the benefit of it. But it mattered not whom it benefited, if it was right and proper that we should remove every restriction on the right of those who had been selected by the constituencies to take their seat in that House. It would, he thought, have been better if the Government had seen their way to introducing a Bill substituting for the Oath a simple Declaration of Allegiance by every Member. The incidents connected with Mr. Bradlaugh's personal character had been unfairly imported into this debate. Although he could not sympathize with Mr. Bradlaugh on many points, he did not think that the incidents to which he had referred ought to affect the question before the House. At any rate, under the present law, Mr. Bradlaugh, who had denounced all that most of the hon. Members of that House deemed sacred, was at perfect liberty to come up to the Table of that House and take the Oath. It was said that the Oath of Allegiance had not been intended to be a religious test; but it operated as such. On this question we had lagged behind every other country in Europe. This country prided itself on being the land of civil and religious liberty; but the fact was that in respect of the subject with which the Bill dealt it was behind almost every other State in the civilized world. In Belgium a Member of the Legislature held up his hand and said, "I swear to preserve the Constitution," there being no allusion to the Deity. In Italy the Members swore also, without naming the Deity, to be faithful to the King and Constitution. In the Netherlands and Switzerland the Oath or Affirmation was taken at option, as also was the case in the United States of America. In Austria no Oath was taken, but each Member made an Affirmation of loyalty to the Sovereign; while in France, Germany, and Sweden no Oath of any kind was required as the condition precedent to a Member taking his seat. Within the last 10 or 20 years we had abolished a vast number of promissory oaths which used to be enforced on the holders of almost every responsible position. The hon. Member for Finsbury (Mr. W. M. Torrens) had asked what guarantee we should have for the safety of the

Throne and the Constitution if the Bill were passed. The Throne and Constitution must indeed be in a bad way if the Parliamentary Oath was all which lay between them and destruction, and that Oath would certainly not prolong their existence. He thought a general impression existed in the country that there was a great deal too much of the taking of Oaths in Parliament, and in our civil and judicial systems. He supported the Bill, though it did not go so far as he was inclined to go, as being, at any rate, a step in the right direction.

MR. GIBSON: I think there is no one in this House who will rise to take part in this debate without some degree of anxiety. It is impossible not to approach the consideration of the topics involved in a spirit both serious and painful. It must have been obvious to everyone who listened to the speech of the Prime Minister that that was the conviction of the right hon. Gentleman; and all who had an opportunity of listening to his elaborate and carefully reasoned arguments must have been conscious that the Prime Minister realized to himself the great difficulty of his task and the obvious perils which beset this Bill. The arguments of the right hon. Gentleman, powerful, vigorous, and effective, as they were, were arguments more against the Bill than for it, because they went infinitely too far. They were against all Oaths everywhere, and involved in that condemnation the utility of all Affirmations. The method adopted by the Prime Minister in his speech, however, is a contradictory one. At one time the question is treated as so small and so bereft of general importance that it was not worthy of being mentioned in the Speech from the Throne. But it was indicated, both to-night in the speech of the Prime Minister, and in replies to Questions previously put from both sides of the House, that the question was considered so large and urgent as to take precedence of every single measure that was mentioned in the Queen's Speech. Sir, what has caused this change of plan on the part of the Government; this immense and supreme change? The cause and object and whole motive power of the Bill is to be found, not on the Treasury Bench, or even in the genius of the Prime Minister, but in Mr. Bradlaugh. I ask anyone who listened to the speech of the Attorney General, also an able and closely reasoned speech, whether, from beginning to end, he mentioned the name of Mr. Bradlaugh? In the long speech of the Prime Minister, which lasted an hour and a-half, there was certainly not much of Mr. Bradlaugh as contrasted with other topics, yet it is as plain as a proposition of Euclid could be that Mr. Bradlaugh is the cause, not only of this Bill, but of its now being pressed upon Parliament and the country. Does any man believe that this Bill would have been put forward, even when it was introduced, but for the fact that Mr. Bradlaugh had organized a mob of considerable dimensions in Trafalgar Square? And then the noble Lord the Secretary of State for War, having announced, considerably under that pressure, that this Bill would be introduced, and when it was introduced and apparently meant to lie in the Order Book without any great urgency, what is it that suddenly brings it from its repose in the Order Book to its present urgency? On Sunday week Mr. Bradlaugh made a speech, in which he said that if this Bill were not expedited he would take steps to come here and take the Oath. The very next day the Prime Minister announced that this Bill would be taken with all the prominence that was given to it on Monday last; and when the Prime Minister was asked what chance the Tenants' Compensation Bill, the Municipal Government of London Bill, and other measures promised in the Queen's Speech had of being brought forward, the answer was that they would not be proceeded with until this Bill had been passed into law, and the House was told that that answer applied to all Government measures of importance. Let it be known that the motive power of this Bill is not abstract justice, nor a consideration of Constitutional reform, but the incidence and pressure of Mr. Bradlaugh on the floor of this House. This plain and simple object is sought to be obscured by the interesting but misleading historical narrative of the Attorney General; nor was the long, interesting, and elaborate speech of the Prime Minister calculated to bring into prominence the obvious fact to which I have referred. The nation, with that unerring instinct which the Prime Minister recognizes as being in the main correct on most subjects, have seen clearly what is the grave issue involved; and whatever abstract logic may say, the nation recognizes that both in respect of time and occasion this Bill does violence to many of their most cherished and hallowed feelings, and outrages some of the sentiments which are most deeply established in our nature. They feel that to please Mr. Bradlaugh and to buy off his terrorism every effort has been made during the past three years to profane the Oath; and that now, when that has failed, in consequence of the opposition of the House, a further attempt to appease Mr. Bradlaugh is made by repealing, destroying, and removing from our forms that Oath which heretofore he has in vain sought to profane. Such a Bill might be excused by an ingenious Minister upon two broad arguments. It might be put as a calm effort of thoughtful statesmanship, not suggested by an occasion like the present, and it might also be put that it was supported by the general opinion and the general conscience of the nation. But I would ask any Member of this House whether he believes, from his own experience of the feeling of the nation, that the public opinion of the country, and the public conscience of our people, approve this Bill? I venture to say that there is not a single Member of this House who will bring himself to vote for the Bill that is not conscious in his heart that he is opposing the deliberate convictions of millions of his fellow-countrymen. Petitions are not matters on which I am in the habit of placing any great stress, but the significance of the Petitions in the present case is obvious and most suggestive. The Prime Minister did not exaggerate, but rather minimized, the number on our side, when he said they were four to one. If a Dissolution were to be taken upon this question, does any hon. Member believe in his heart that the Members returned would not hurl out this Affirmation Bill by a vast majority? We have heard much in these discussions of the analogy of the present case with the Roman Catholic Relief Act and the Act for the Relief of the Jews. But where is the analogy in the matter of public opinion? The Roman Catholic Question was only decided by Parliament after it had been brought before previous Parliaments, and after the constituencies had been thoroughly familiarized with the topic; whereas any man who has watched the progress of events must be almost startled to find that the feeling in the present case, after the lapse of three years, instead of getting stale, is fresher, stronger, and more vigorous. You refer to the analogy of the Jews' Question. That, again, was a question on which the constituencies had an opportunity of expressing their opinions; but what opportunity has been given to them in this case? They have been put aside by the Prime Minister on this occasion on the ground that they were wrong, being four to one against the Affirmation Bill. I was surprised to hear the Prime Minister allude to the case of Mr. O'Connell, who would surely turn in his grave if he heard a comparison instituted between himself and Mr. Bradlaugh. Mr. O'Connell came at the end of the Catholic movement which had been agitating the country for many a long day before he was elected for his constituency in Ireland. He was the termination of the Catholic agitation; but Mr. Bradlaugh is the object of this agitation and of this Bill. I ask, is the Bill supported in any part of the country? Is it supported by a majority of Scotch Members? [*Cheers.*] Well, I heard a sickly attempt to cheer. Is it supported by the Members from Ireland? There are 103 Irish Members, and I affirm, as a piece of political prophecy, that there will not be found three Irish Members to go into the Government Lobby. Even of that chosen band, the Ulster Liberal Members, on whose consciences, I am informed, great pressure is being brought to bear, I do not think any will be found in the Government Lobby. My proposition is not an extreme one. Of the 103 Irish Members, although some may be induced—shall I say cajoled, I will not say bullied—into abstaining from voting, I repeat there are not three who will be actually brought to the Government Lobby. The Prime Minister in his long speech failed to use one short sentence for which all of us were on the look out. The Government were asked more than once in the progress of these discussions what was to be the position of the House of Commons and of the Government Benches in reference to this question. To-night we have heard very great phrases about civil and religious liberty, and many suggestions have been made to our consciences. But is this a question which is going to be left to the consciences of individual Members? Is it to be an "open question" for the House to exercise its own independent judgment upon? Is it to be left to the conscience of each individual Member, or rather to be influenced by the conscientious pressure of the high-minded Gentlemen who wield the Government conscience, the Government Whips? The Prime Minister was not prepared to avoid hinting, or suggesting, or stating that considerations of political profit might possibly bias to an extent some hon. Members who sit on this side of the House. That, if not a charge, is certainly a suggestion. I pass it by with the criticism that it seems to have been framed almost verbally on a sentence in Lord Coleridge's Charge in the recent Freethinking case against Foote, when he said he did not make any reflection whatever upon the prosecutor. Now, Sir, is it wise to outrage, to ignore, or even to outrun the general opinion of our people on a question which so deeply stirs all their strongest feelings? The Prime Minister has substantially acknowledged that the feelings of the majority of the people are against him, and, therefore, that he is ignoring them. Is it wise, on a question of this kind, for the sole sake of Mr. Bradlaugh, to ignore the conscientious and religious convictions of the majority of the people? If there be abstract reasons which satisfy the Prime Minister of the soundness of his views, which I do not dispute for a moment, is it wise, statesmanlike, and judicious to outrun and go far ahead of the judgment and instinct—the usually safe instinct—of the people, on a question on which they must be powerfully swayed by instinct? The Prime Minister said that instinct was usually a safe guide; and therefore, being a safe guide, it required grave arguments to show that upon this question, where instinct and intuition must have powerful sway, it should be treated in an exceptional way. The Prime Minister guarded himself by saying that instinct was usually safe unless the question were disguised, as it might be in a case involving difficult legal arguments and Constitutional considerations. Hardly any man of ordinary understanding could be misled by that statement. What have we heard to-night of difficult legal arguments and Constitutional considerations? I admit that the Attorney General used difficult legal arguments in order to obscure the question. The Prime Minister entered upon elaborate, complicated, Constitutional questions so as to keep the real question out of view. The question involved is clearly shown by the clauses of the Bill. It requires no lawyer and no experienced politician to understand the words of the Bill; but it does require a learned lawyer and an experienced politician to prevent people understanding it. The Prime Minister said that people might be led by their feelings more than by their judgment; but feelings are not a bad thing to go along with the judgment. On some points you have to reach the understanding through the heart; and this may be one of them. The Bill works a vast change. It omits words, few, simple, and solemn, sanctified by the reverence of mankind, and enshrined by tradition in the heart of the whole nation. The structure of the Oath is simple, clear, intelligible. Divested of all needless words, it embodies the Apostolic precept to "fear God and honour the King." Can any man doubt that if, at the bidding of Mr. Bradlaugh, you get the fear out of the Oath, the honour will not be in long? What is the meaning which the Prime Minister attaches to the word "solemnly" in the mouth of an Atheist? Is that intended also to mislead and deceive the people, who, on this occasion, are led by their feelings as well as by their judgment? Will it not be keeping up a delusion to say that in the lips of Mr. Bradlaugh and others the Affirmation is to be pronounced solemnly? The Prime Minister said this was simply a residue of a once large question. A master of words, he kept gradually minimizing the question, until you looked in the air for what was left. It was a "narrow ledge," a "shred," a "slice"—everything to indicate smallness. It is all very well for the Prime Minister to treat the Oath as being practically nothing; but, in the popular mind, does it not make all the difference between a recognition and a denial of the Supreme Being? In this part of his speech, which was most misleading, the Prime Minister said that the opponents of the Bill were seeking to throw over Christianity. Could any statement be more absolutely removed from even a vestige of connection with this question? We deal with the Oath as it is, and as it has been for years on our Statute Book, where it has long been with the sanction of the Prime Minister. It contains a clear recognition of the Deity. We take our stand on the recognition of God; and it is proposed to throw over that, and take our stand upon nothing. How will this question be regarded, not by the professors, the logicians, and the philosophers, but by the great majority of the people, with their quick feelings, ready instincts, and rapid intuition as to what is right and wrong? Will they not believe in too many places that the passing of this Bill is very like driving out of the English House of Commons the name of the Supreme Being in order to let in Mr. Bradlaugh? Will not the common people feel that the House of Commons regard the presence here of Mr. Bradlaugh as being more important than the recognition of the Supreme Being? Again, how will this Bill be regarded by Atheists? Will it not be regarded by them as an unmixed triumph? They will be blind not to see that at the bidding of Mr. Bradlaugh you are opening the door of the House to all avowed Atheists. By a rhetorical device, the Prime Minister suggested that the opponents of the Bill were seeking an illogical change in our laws; but it is not we who are proposing any innovation. It may be there is some sentiment and feeling about this question; but how few questions are decided by pure logic. I am thankful there are many that are not. If the world were ruled by logicians, it would be a most unlivable world. In legislation, as in the ordinary transactions of life, you must give some effect to the feelings, sentiments, and even the prejudices of the bulk of mankind. I oppose the Bill not only on account of the shock which it must give to the religious opinion of the country, and the outrage it must inflict on many of the most sacred feelings of the human mind, but also because it is contrary to the traditions, the practices, and the methods of our whole English public life. The Sovereign on Her Throne, every one of the Ministers on the opposite Bench, every Judge in a Court of Justice, every juryman who goes into the box, every soldier and sailor who serves his Queen and country, enters upon his duties under the most solemn sanctions. What are the objections to this principle? It is said that Courts of Justice allow an Atheist to make an Affirmation; and, undoubtedly, so they do; but why? Because it is necessary in the interests of justice that no evidence shall be lost. Still, an Atheist is compelled, before making an Affirmation, to declare that an Oath is not binding upon his conscience. The present Bill contains not only a form of Affirmation, but a form with an alternative, so that an avowed Atheist, without saying whether an Oath is binding on his conscience or not, may either take the Oath or make an Affirmation as he pleases. We are told that there may be Atheists and Agnostics already in the House, and that Voltaire, if he were alive now, might also be here. But surely that is not an argument; and I think that everyone must have noticed how the Prime Minister laboured in that part of his speech to derive arguments from that which scarcely bore to be presented seriously. We are asked now that the whole nation shall assume the national responsibility of opening the door of the House to every avowed Atheist. That is the point at issue, and it is far removed from the argument of the Prime Minister. I will not combat the argument used by the right hon. Gentleman and the Attorney General, that you have admitted Roman Catholics and Jews, and why stop there? It is an insult both to Roman Catholics and Jews to place them for a moment in the same category as Atheists; and I think that before using this argument the Prime Minister should somewhat have considered the feelings of those who must have been hurt, if not outraged, by his suggestion. Then, again, it is no question of civil and religious liberty; that is merely a grand phrase for the groundlings. Every man in this country is free to believe what he pleases; he can exercise his right of private judgment, and upon him rests the dreadful responsibility. Nor is it a question of the rights of constituencies. No one denies that a constituency in this country may elect anyone who comes under the legal definition of fitness; but a constituency, after full notice—and in this case there was notice after notice, the notice of notoriety—should not elect one who cannot be admitted like other Members. However, I do not rest my case on this narrow ground; I do not call in question the rights of constituencies. They exist; but we, the Representatives of the entire nation, cannot but consider what is best for the national interests, even though they may run counter to the prejudices of one isolated constituency. Both in this debate and in 1880 some words of the Prime Minister's were quoted, which I must quote again, as they were very simple and very eloquent. The whole gist and effect of the Prime Minister's speech this evening was that the Oath was not now of very much avail, though it may once have been valuable; that it had served its purpose, and that it was not desirable now to take one's stand upon it. But what were the words of the Prime Minister; what was the way in which he put it? He said that there was no advantage in retaining any Oath at all. [Mr. Gladstone: I did not say that.] I am very glad to hear that disclaimer; but I am bound to say that any one who heard the Prime Minister's speech would have come to the conclusion that he had very little to say in favour of the Oath for any purpose whatever. However, I desire to quote the words of the Prime Minister in 1854, when he occupied a position of great responsibility in the House. They are words that should sink deep into the heart of every Member—

> "I know that there are some hon. Gentlemen here who think we should come to the discharge of our duties without any oath. I do not happen to be one of that opinion. I revere the principle of the oath. Our oaths ought to be brief—ought to be simple . . . . they ought to be divested of all needless and useless words, in order that the words we use by solemn sanction in the presence of God may be used with a sense of the presence of God, and in a temper which befits men doing a solemn act."—(3 *Hansard*, [133] 900.)

Those are eloquent, simple, and touching words. They should govern the course of this debate. Our Oaths now are brief and simple, and are divested of all needless words. The nation, guided by its feelings, desires no further change, and I refuse to vote for the second reading of a Bill which treats the recognition of God as needless, as inconvenient, and therefore to be got rid of; and I will give no countenance or support to a measure proposed in deference to the claims of Atheistic clamour—contrary, as I believe, to the public opinion of the country, and hurtful as I know it to be, to the consciences of millions of our people.

The JUDGE ADVOCATE GENERAL (Mr. Osborne Morgan): Sir, the right hon. and learned Gentleman opposite (Mr. Gibson) who has just sat down, in his eloquent speech—more remarkable for pure rhetoric, than for that "pure logic" of which he has expressed such a horror—has challenged any hon. Member, who is unfortunate enough to follow him, to point to a single portion of the Kingdom, the inhabitants of which are not almost unanimously opposed to this Bill. I rise to answer that challenge. I have no mandate to speak for Ireland, or for Scotland; though I suspect that, as regards the latter country, the Division List, when it appears, will tell a different tale. But I have a right to speak for another part of the country—for a country as religious as Scotland, a country in which the Sunday schools are always full, and in which the places of Divine worship are always crowded—I mean the Principality of Wales. I do not believe that there are two Atheists in the whole of my constituency. If, therefore, the majority of my constituents are in favour of this Bill, it is not because they hate Atheism the less, but because they dislike tests the more. Now, I assert that the great majority of the Welsh people are in favour, not certainly of Mr. Bradlaugh, but of this Bill; and as a proof I say that, looking around me, I can only see one Welsh Member—the noble Lord whom I hope I may, without offence, call the accidental Member for Carmarthenshire (Viscount Emlyn)—who will be found voting against this Bill. And now I come to the speech of the right hon. Gentleman opposite (Sir R. Assheton Cross) who moved the rejection of the Bill. The right hon. Gentleman began his speech by saying that he would deal with this question as a question of principle, and not as a question of persons. But he had hardly uttered half-a-dozen words, when he proceeded to drag in Mr. Bradlaugh by the head and shoulders at every sentence; and I am bound to say that every speaker on the other side has followed his example, and we have had nothing but "Bradlaugh, Bradlaugh, Bradlaugh." Now, I do not intend to follow in the footsteps of the right hon. Gentleman, and, therefore, I will only say one thing about Mr.

Bradlaugh—and then I will pass from that, to me, not very inviting subject—and it is this. The speeches of hon. Gentlemen opposite have been the best advertisement for Mr. Bradlaugh that he could have desired. Just contrast his position now with what it was three years ago. Then he was an obscure individual who had figured in a police court. Now he is the renowned champion of freedom of election—the man who has beaten Sir Hardinge Giffard all along the line. It is you who have put him on the pedestal, who have enabled him to pose as a martyr and a hero; and, if he is a fourth time re-elected for Northampton, it is you whom he will have to thank for the result. Now, Sir, I have been asking myself during this whole debate, "What is it we are really fighting about?" Hon. Gentlemen opposite will say, "We are fighting for that religion which is part of the law of the land;" and my hon. and learned Friend (Sir Hardinge Giffard) has told us, in solemn tones, that Christianity is part of the Common Law of the country. My hon. and learned Friend's law has been somewhat knocked about of late, and, therefore, I am extremely glad to be able cordially to agree with him upon this one point. But if by that he means that, by the Common Law, Christianity is a condition precedent to a man's taking his seat in this House, then I say that that contention has been entirely disposed of by the opening speech of my hon. and learned Friend the Attorney General, which is a complete answer to that contention. But if, for argument's sake, we admit its truth, have there been no statutory inroads made into that maxim of the Common Law? Why, the presence of the hon. Member behind him (Baron Henry de Worms) is a living contradiction to the assertion of my hon. and learned Friend. That hon. Gentleman, in his speech the other night, re-produced the exact arguments by which hon. Gentlemen sitting by his side strove for years to keep his co-religionists out of this House. Happily those arguments were unsuccessful, or we should not now have had the pleasure of listening to the speech of the hon. Gentleman. And exactly the same thing may be said of the Roman Catholic Members of this House, and of the arguments against Catholic Emancipation. Well, it only shows how easy it is for the victims of persecution to become persecutors themselves. As we used to see at school, it is the boy who has been bullied himself, who is apt to turn the greatest bully when he gets a chance. But, says the right hon. Gentleman, "What I object to is not any particular form of belief—it is the negation of all belief; in other words, a man may believe anything, provided he believes something — provided he believes in some Divinity or other." Now, let me test the value of that proposition by asking the House this question—Whom would this Oath as it stands exclude? It would not have excluded Voltaire; it would not have excluded Robespierre; it did not exclude Gibbon; and, I believe, it would not have excluded Hume. It would certainly not exclude a Mahomedan or a Brahmin; I am not sure about a Bhuddist; it would most assuredly admit a Fire Worshipper; and, I think, it would admit a Devil Worshipper—"devils believe and tremble"—to say nothing of a whole army of hypocrites and humbugs. For the whole gist of your objection to the proposed change is, that it would only admit an Atheist who is honest enough to avow himself as such. If you must have a lock, at least have a good one, and not one which can be picked by the first comer. Now, I believe I have taken as many of these oaths as most men. When I was at Oxford, we lived in a perfect atmosphere of tests. A man could not get a twopenny half-penny exhibition without having to go on his knees to call down all sorts of imprecations upon the head of the poor Pope and the unfortunate descendants of James III., the last of whom died exactly 95 years ago. Did that make Oxford more religious? Why, these oaths were the subject of the most profane and irreverent jests. I well remember an old Fellow, of Brazenose, who used to go about boasting that he would like to see the oath he would not take to keep £600 a-year. Is the spectacle which this House presents at the opening of Parliament a more edifying one? I have seen hon. Members come up in gangs of 30 at a time to the Table, and the Holy Book tossed from hand to hand with an irreverence which was perfectly shocking, until I have felt inclined to cry out with Coleridge—

"Oh, blasphemy! The Book of Life is made
A superstitious instrument, on which
We gabble out the oaths we mean to break,
For all must swear, all—and in every place,
Merchant and lawyer, senator and priest,
Until faith reels. The very name of God
Sounds like a juggler's charm."

And now one word about Scotland. I, this morning, read a most able and temperate article from the pen of one of the most religious Scotchmen in the Kingdom—the Royal Commissioner to the General Assembly of the Scotch Church (the Earl of Aberdeen)—from which I will read one extract—

"If we turn from the question of the efficiency of indirect as compared with direct methods, and glance at the general effects of the whole system of religious tests, what do we find is the teaching of history regarding the general utility of such provisions? With respect to England during the past three centuries, it would hardly be too much to say that the religious life of any particular creed appears to have been in an inverse ratio to the rigour with which that creed was artificially protected."

Do not these words apply with peculiar force to the past and present condition of the Church of England? Will anyone say that that Church possessed a greater hold over the lives and consciences of men, in the days of drowsy sermons and sleepy congregations, when she was hedged in on every side by oaths and tests? Why, what a puny thing must our religion be, if it requires to be propped up by such a miserable crutch as this! I should be ashamed of my Christianity if I thought that it needed to be galvanized into life by such a process as that which you are now defending. For my part, I have the most perfect faith in the vitality of our national belief. I believe that this wave of infidelity, of which we hear so much, is but the breaker dashing itself upon the rock. But I have also faith in the common sense and common justice of my countrymen. I have heard that this Bill is a perfect godsend to the Opposition. Well, they must be thankful for small mercies, if it is. I believe, however, that a reaction is not far distant, and that hon. Gentlemen opposite would do well to remember Goldsmith's lines about the dog which went mad and bit the man, and everyone thought the man would die—

"But soon a wonder came to light,
Which showed the rogues they lied!
The man recovered from the bite;
The dog it was that died.

For depend upon it the day is not far distant when some such Bill will be passed, and when men will reflect with amazement, that a Member of this House, as duly elected by his constituents as you Mr. Speaker — ["Oh, oh!"]—or any hon. Gentleman opposite who jeers at me, should be debarred from doing his duty to that constituency—not because he held, but because he avowed, religious opinions which were disliked, or even which were detested, by the immense majority of his Colleagues and his countrymen.

LORD RANDOLPH CHURCHILL said, he hoped the Government would consent to adjourn the debate at an earlier hour than usual, so as to give time for the discussion of the subject to be brought forward by the hon. Member for Preston. After the remarkable speeches of the Prime Minister and the right hon. and learned Member for the University of Dublin (Mr. Gibson), he thought the House ought to be given time for reflection. Judging from certain manifestations of levity during the speech of the right hon. and learned Gentleman who had just sat down, the House appeared to be hardly in a condition to discuss with adequate propriety a subject of such great importance as the Bill before them. He begged to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Lord Randolph Churchill.*)

MR. GLADSTONE said, he could not accede to the Motion without expressing great regret that it should be found necessary to prolong the debate. It was part of the new habits and views that had taken possession of the House that it should be thought necessary to occupy, in debates on Motions for second readings, twice or three times as much time as was once thought sufficient. He regretted they were not able to follow the practice of a former period—namely, of 1854—when a comparatively short time was devoted to the discussion of a Bill to amend the Parliamentary Oaths Act. As, however, he knew there was a strong desire to continue this debate for at least another night, he would offer no resistance to the Motion.

SIR STAFFORD NORTHCOTE said, he could not allow the observations of the Prime Minister to pass without saying that in former times there were much longer debates than the present on questions of less importance. The importance of the present question could hardly have been exaggerated, even before the speech of the right hon. Gentleman; but since that speech its importance had increased. As an example of a longer debate on a less important matter, he might refer to the debate on the Repeal of the Corn Laws, which lasted for 13 or 14 days. Surely a change in the commercial policy of the country was not of so much importance as the question whether they were to retain in their proceedings the recognition of a God.

Mr. NEWDEGATE said, he desired to take the present opportunity of saying that the Bill, in his opinion, was not the climax of toleration which the country expected; and that in view of what was usual in all cases in which religious matters were dealt with by the House, the request for an adjournment was one which the Prime Minister could hardly with decency refuse.

Mr. O'DONNELL remarked, that whatever might be the small importance which the Prime Minister attached to it, the whole Irish nation, without distinction of political Party, was unanimous in recognizing the vast importance of the proposal to abolish the religious character of the constitution of this Assembly. Among the 103 Members who represented Ireland in the House, he did not believe that three would be found to support the proposal of the Prime Minister.

Mr. HICKS said, he protested against the observation of the Prime Minister in regard to what he (Mr. Hicks) believed to be the gravest issue ever brought before the House of Commons.

Motion *agreed to.*

Debate *further adjourned* till *Monday* next.

## CUSTOMS AND INLAND REVENUE BILL.—[Bill 140.]

(*Sir Arthur Otway, Mr. Chancellor of the Exchequer, Mr. Courtney.*)

SECOND READING. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Question [23rd April], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

Mr. ECROYD, in rising to move, as an Amendment—

> "That, in view of the growing injury inflicted upon our industries by Foreign tariffs, and the consequent importance of more rapidly developing the resources of India and the Colonies, it is expedient to free ourselves as early as possible from the restraints of Commercial Treaties; to abolish the Duties upon tea, coffee, cocoa, and dried fruits imported from British possessions; to levy specific Duties (in no case equal to more than ten per cent. upon ordinary average values) upon the like articles, as well as upon wheat, flour, and sugar imported from Foreign Countries; and also to impose an Import Duty upon Foreign manufactures, with the notification that it should cease to operate, as against each Nation, from the day on which such Nation should admit British manufactures duty free,"

said, he occupied the time of the House on that occasion with very considerable regret, because he could not but feel that, to some extent, he was impeding a measure which right hon. Gentlemen opposite were anxious to expedite. He would, however, endeavour to confine himself to that which bore directly and closely upon the question before the House. Had he taken the opportunity of introducing the Motion which stood in his name on a Tuesday or a Friday evening, he should have laid himself open to the charge of seeking to introduce a merely academical discussion. He had chosen, therefore, to do so upon the second reading of this Bill, because the most important question he desired to examine was the wisdom and desirability of raising so much revenue from tea as they did at the present time. He should not examine at any length the effect of foreign tariffs upon the manufactures and trade of this country. That question was debated last year upon a different Motion, brought forward by his hon. Friend the Member for the Tower Hamlets (Mr. Ritchie), and he (Mr. Ecroyd) should, therefore, confine himself to saying that those engaged in the manufactures of the country had found that the pressure of such tariffs had been in no way relieved during the past year, and that the outlook, as regarded future openings for the export of the productions of our industries, was regarded as gloomy in the extreme by those who were most competent to form an opinion. He could not apologize for occupying the time of the House on a matter so closely connected with the agriculture and industries of this country, because it must be admitted that, during the present Session, very little time had been devoted to questions of that character. It was quite true that the right hon. Gentleman the President of the Board of Trade (Mr. Chamberlain) had introduced a measure of great interest to those who were engaged in commercial pursuits; but it was somewhat ominous that that measure was a Bankruptcy Bill. If they regarded the present position of the cultivators of the soil, and the condition of many of our most important industries, they would only be too ready to fear that a Bankruptcy Bill might, indeed, be the measure most urgently required. He should, no doubt, be attacked upon the ground of political economy. He (Mr. Ecroyd) thought, however, that he had more occasion to fear the adverse criticisms of right hon. Gentlemen upon his own side of the House than of those who sat on the Benches opposite, since that important but somewhat loosely defined science had been solemnly banished by a high authority to two distant planets. He could not conceive that anything he might have to propose ought to be regarded as infringing the true principles of political economy. After all, political economy, as he had said, was a very loosely defined science, and must always be subject to the prevalence of exceptional circumstances. Political economy was made for man, and not man for political economy. Many of the arguments which had been brought forward in opposition to facts adduced to prove the somewhat insecure position of the industries of this country were such as he believed would not bear a close or even a cursory examination. He remembered that, during the debate last year, the hon. Baronet the Member for the University of London (Sir John Lubbock), to whom they always listened with very much interest and attention, told them that if it were the case that we exported little to countries like the United States in return for our large imports from them, we might regard it as a fortunate circumstance, and asked if we really wished to pay them more in exchange for our imports than we did at present. He (Mr. Ecroyd) should like to ask the hon. Gentleman, if he really thought that we were paying our Australian Colonies three times as much for what we imported from them, because they took from us three times as much value of our manufactures, in proportion to our imports from them, as did the United States? Such arguments as those could not be defended for one moment. Again, great stress was laid on the prosperity and continual extension of our shipping. To some extent, however, the increase in our shipping trade had been owing to the depression of our industries. For instance, if we had a failing harvest and brought more food from foreign countries, that necessarily gave employment to a great deal more shipping. Again, if manufacturers were driven abroad by hostile influences, and we received from abroad things which our own industries ought to produce, that was an employment of shipping which, as far as it went, was a proof, not of prosperity, but of adversity. What he should like to know were such points as these. What was the progress of incomes derived from the industries of this country, as compared with that of incomes derived from foreign property of various kinds? What was the income derived from foreign property of all kinds, and did it bear a fair share of the taxation of the country? What was the increase or decrease of the total amount of wages actually paid, for instance, in the textile industries of the country, compared with the amount paid seven or eight or ten years ago? What was the burden of local taxation upon land, buildings, and works in this country, compared with that borne by foreign property of similar kinds? These were questions which very closely touched the interests of our great productive classes; and he could not but see the necessity of drawing a distinct line between the prosperity of the productive industries of the country and the prosperity of the possessors of foreign incomes who only resided in England, and who might at any moment, by the simple process of going on board a steamer, take themselves and their wealth away from all responsibility for the debt, the taxation, or the interests of this country. British manufacturers had been more and more driven back upon our own Possessions, not only by adverse changes in foreign tariffs, but by the continually increasing effect of the old tariffs. The Colonies and India were our prosperous and growing markets. The French, German, Spanish, and other foreign markets had been more and more closed to us. They had not, in all cases, shown a positive falling off; but they had shown a falling off in proportion to the growth of population and the general commerce of the country. And the future, too, was extremely uncertain. He should like to know what was the prospect of our future commercial relations with such countries as Italy, Turkey, Japan, and even Switzerland, which had hitherto been regarded as almost a Free Trade country? We had also recently heard of a Convention concluded between the United States and Mexico, to the detriment of British industries. When we thus looked round, and saw one opening after another closed to British industries, and that in other directions political movements were threatening our legitimate interests, as in the case of Central Asia, the Congo region, and Madagascar, we should be very foolish people if our minds were not filled with alarm and anxiety in regard to the future. Again, Commercial Treaties had not proved the harbingers of Free Trade. Our Treaty with France could only be regarded as calculated gradually to stifle three-fourths of our export trade to that country. He agreed that Treaties were needful under the present system; but he maintained that the present system was a vicious one, which, by the force of altered circumstances, had become adverse to the prosperity of this country. The negotiations, which had to be continually repeated, and which extended over considerable periods of time, were most adverse to the interests of trade and commerce, and introduced elements of uncertainty and unsettlement which stood in the way of the steady prosecution of business. A firm and defined policy of our own would be infinitely better than a Micawber-like waiting on the caprices of other nations. The present system was most unjust to the labouring classes as compared with mere consumers, because, under a system of free imports and restricted exports, the producing class were exposed to the full competition of foreign industries, while the mere consumer reaped the advantage of that competition, and bore a very small share of the local burdens. The first had the competition of the world against them; whilst the second had the competition of the world in their favour. Then, again, the extremely heavy load of taxation which fell upon land and buildings, which were the instruments of productive industry in this country, acted as a complete protection to the foreigners who brought their products, agricultural or manufactured, into our markets. We were not by any means delivered from Protection, for we thus maintained a system of Protection for the foreigner against ourselves; and it must be observed that whatever detriment arose to our industries, whether agricultural or manufacturing, in the long run must fall upon the labouring class. It might touch profits in the first place, and rents in the second; but if anything in this world was certain, its full effect must come eventually upon the labouring class, to their detriment and prejudice. The present system was also grossly unjust to the owners of property anchored to the soil in England, as compared with the owners of other property. Therefore, we saw, as a result, an increased tendency towards foreign investments, both in arable land, in manufactories, and in other industrial undertakings which competed with us to a considerable extent in our own markets. He had said that our great and growing markets were those of our own Dependencies and Colonies. India, we had recently compelled, probably against the wish of her people, to receive our manufactures, duty free. But what had we done for India in return? Had we removed those duties upon Indian productions which were hindering the development of Indian agriculture, and of those resources the unfolding of which would bring an increase of welfare and contentment to her thrifty population? No. We still, at this moment, imposed the heaviest duty on an article of food which came into this country from India, and the growth of which constituted one of the most promising of Indian industries. He spoke of tea. Had we, holding India thus passive in our hands, adequately discharged the duty of developing her resources and her means of transport, and so enabled her to supply our corn as well as receive our manufactures? He held that we committed a grave injustice to India in the distribution of these duties which, to a large extent, formed the subject of the Bill now before the House. We had not developed the resources of India as we ought to have done. At the present moment there were perhaps 10,000 miles of railway actually in work in the Indian Peninsula. What length of railway had been made by the people of the United States during the last four or five years? They had constructed almost as much in one single year as was to be found in the whole of India. What was the reason of the rapid rate of progress in the United States and the slow rate of progress in India? Why did not English capital find its way on a larger scale to India? Why, being the richest nation in the world, and in full possession and control of India, had we not developed it more completely and at an earlier period than the United States had developed her resources? We had been in possession of much cheaper money than the United States. We had an enormous commerce with India long before the manufacturing and agricultural resources of the United States were developed at all. Why was it that the United States had made that rapid and continuous progress, whilst India in our hands moved so slowly in comparison? It was even true that India's best harvests were her misfortune. The hon. Member for Manchester (Mr. Slagg) knew that if India was in possession of a bumper harvest the price of wheat came down to a excessively low point, and the only valuable article the poor inhabitants in certain districts had for sale wherewith to purchase clothing became almost unsaleable, so that they were absolutely unable to pay their way. Was not that an unnatural condition of things, and a condition of things that ought to be remedied? Why was it that all this corn was lying unsaleable in India at a time when we were making such enormous purchases from the United States, who, instead of, like India, receiving our manufactures duty free, tried to keep them out by excessive import duties? The reason was simply this—that the Americans had adopted a plan of giving an initial impetus to the development of their resources, which we were precluded from adopting by a pedantic adherence to the principles of Free Trade, or what we deluded ourselves by choosing to call Free Trade. We had adhered to the name of the thing without the substance; and that had prevented the due advancement and development of our great Indian Empire. Our policy and that of the United States had had this effect—that, instead of our own Eastern Empire and our own Possessions constituting our granaries at the present moment, we went to the United States for our chief supply of food. All this had been the consequence of the adoption by the United States of a plan for stimulating the development of her agriculture, which we had altogether foregone, and the rapid growth of the agriculture of the United States, and her means of internal communication, compared with the feebler growth of agriculture and of the means of transport in India, bore witness to the fact that we had adopted an unsuccessful policy; whereas the United States had adopted a successful one. He had no doubt, whatever, that the imposition of a small differential duty upon foreign wheat, of say, 3*s.* or 4*s.* a-quarter, whilst the wheat of India was allowed to come into this country free, would give a great impetus to the construction of railways and roads in India. He said this on a very high authority, which he thought he might quote with all the more effect, because it was an authority hostile to his own views and principles. A few weeks ago, he had read with interest in *The Economist* newspaper an article on the Indian wheat trade, and it was there stated that the cost of transport from the interior Provinces to the sea board per quarter per mile was so much higher than it was in the United States as to constitute a real obstacle to the development of the corn-growing power of India. The remedy that was recommended by the writer of that article was the reduction of freights on the Indian railway lines; but it must be borne in mind that the condition of the two countries was by no means similar. In the United States they had great centres like Chicago, connected by two or three lines of railway with the ports of shipping; and the traffic over long distances, and on a very large scale between two definite points, was such as could be conducted at a much cheaper rate than a traffic over a network of railways like that which gathered up the different products from the interior Provinces of India. We should, therefore, not attain this end by any practicable reduction of the freights on the Indian lines; not indeed without such a reduction as would seriously check the further devotion of English capital towards the construction of railways in India. We could, perhaps, by such a sacrifice as that bring down the cost of transport to the necessary point; but we might very seriously interfere with the future construction of railways in India. What would be gained by affording a stimulus to the growth of corn in India for the English market? In the first place, the Indian cultivator would be thereby assured of a steady and increasing market for his wheat in this country, with which he was already connected by the closest commercial ties; and, in the next place, the flow of capital into India for the next 10 or 20 years, for the construction of railways and public works, would be on so large a scale that it would relieve, to a considerable extent, the rate of exchange. Again, they would gain a new means of remittance from India to this country, in the shape of a large export of wheat which at that moment, either rotted in the internal Provinces, or could not be grown for the want of means of transport. If they wished to hasten the development of the resources of India, and to place her in her proper position as an integral portion of the greatest and wealthiest Empire in the world, just as completely under the control of this country as the Western States of America were under the control of the American Government—if they wished to accomplish this great work, they must for a time impose some disadvantage upon American wheat growers as compared with wheat growers in India. He was not wishful for a moment to conceal the fact that such a step, if it were the only one taken, must impose some slight burden upon the people of this country; but he hoped to show that, taken in conjunction with the rest of the policy he had to propose, it would bring no increased expense whatever upon consumers of the working class. He believed they went upon an entirely wrong system when they abolished the last remains of the differential duties on sugar, as between the produce of our own dominions and that of foreign nations. He believed that our earlier movements in the direction of Free Trade were perfectly sound and conducive to the advantage of this country; but he felt confident that we made a fatal mistake when we took away the last remains of those differential duties. But if we had entered upon a wrong course, depend upon it it was never too late to change; and if he could show that the change of which he spoke would not disturb the finances of this country, that it would impose no additional burden on the great body of the consumers of food, whilst it would have the effect of opening out, at a much more rapid rate, the resources of India and the Colonies, he thought he should have made out at least a fair case for examination by that House. He did not propose to deal in mere generalities. Those who thought as he did had been accused of finding fault with the present system, which they called one-sided Free Trade, but of proposing nothing definite in place of it. At all events, he did not intend to err that evening in that respect. He would endeavour to give a clear and definite view of the changes he advocated. He did not pretend to an exact acquaintance with every detail which had to be considered in regard to each article of import. He would, for example, be very presumptuous if he pretended to say what would be a fair and just proportion between the duties which ought to be levied on foreign raw sugar and the various classes of foreign refined sugar; but it was not necessary, for the purpose of his argument, that he should enter into details of that kind. The revenue which we at present derived from what might be called "breakfast-table articles," amounted to about £4,850,000. The broad principle upon which he went was this. That they were to levy duties producing an equivalent amount of revenue on those articles, but that they were to alter the distribution of the duties. At the present moment the duties were so imposed as to operate greatly to the disadvantage of the productions of our own Empire as compared with those of foreign countries. Excluding altogether spirits, wines, and tobacco, which had nothing to do with the matter, and dealing with food products only, he found that, dividing our imports into two classes — taxed and untaxed — of the taxed products, 60 per cent came from foreign countries, and 40 per cent from British Possessions. Of the untaxed imports, however, 84·5 were from foreign countries, and only 15·5 from our own Possessions; so that it would be seen that of taxed imports, our Colonies sent us 40 per cent, while of untaxed imports they only sent us 15·5 per cent. Now, it appeared to him altogether unwise and unjust and impolitic, when we had a certain revenue to raise from articles of food which appeared on the tables of all classes in this country, that we should levy it in such a manner as to press with extreme severity on our own Colonies and India, and to prevent their development, whilst, on the other hand, we dealt very favourably with the United States, Russia, and other foreign countries, who crushed our manufactures out of their markets by the enormous duties they levied upon them. It was no increase of taxation that he had to propose. What he wanted was simply a re-distribution of this amount of £4,850,000, which we already raised by taxes on food. He had taken some pains to ascertain what would be the effect of such a re-distribution as he desired upon an ordinary family of factory workers in Lancashire. He had got, through the kindness of a great many heads of families of factory workers, men of considerable intelligence and observation, who had been in the habit of keeping an account of their weekly expenditure—exact details of the way in which their weekly wages were spent. He found that if they were to abolish the duties upon tea, coffee, cocoa, and dried fruits now received from all parts of our own Empire, and to impose a very small duty upon those articles when received from foreign countries, a duty to the extent only of 1*d.* per lb. upon tea, and duties, amounting in no case to more than 8 or 10 per cent on the ordinary value of the article, upon coffee, cocoa, and dried fruits; and if they were to impose a duty of 10*d.* per cwt. upon foreign wheat, and of 1*s.* 3*d.* per cwt. upon foreign flour, but none upon wheat or flour imported from British Possessions; a duty of 1*s.* 8*d.* per cwt. on raw sugar, and 3*s.* 4*d.* per cwt. on refined sugar, from foreign countries, and none on that received from our own Possessions—the effect of these changes on the breakfast table of the working man would be so small as scarcely to be perceptible. He found that, taking an average family—and he confined himself to families in narrow circumstances, who really spent the whole of their income upon necessaries—the income was £1 11*s.* 8*d.* per week, for a family averaging six persons—the man, his wife, and four children averaging nine years of age. Of this sum of £1 11*s.* 8*d.*, 15*s.* was spent in other ways than food, and the remaining 16*s.* 8*d.* in food. Four shillings was spent in bread, flour, and oatmeal; 5*s.* 9½*d.* in butter, eggs, milk, and cheese; 2*s.* 10*d.* in meat and fish; 1*s.* 2*d.* in sugar; 11*d.* in dried fruits; 10½*d.* in potatoes, vegetables, and fresh fruits; 8½*d.* in tea; and 4½*d.* in coffee and cocoa. He would not trouble the House by giving in detail the change which would be effected in the taxation levied upon each of these various items by the alteration he proposed; but he might say that the reduction of the duty upon tea from 6*d.* to 1*d.* per lb. and the admission of Indian tea duty free would alone almost compensate such a family for the proposed duty on foreign wheat and flour, whilst, upon the whole, he believed there would actually be a small fraction less charged in the shape of taxation on the 16*s.* 8*d.* the working man now spent weekly upon food than at the present time. And even were he to make important concessions for the sake of argument which he could not make in fact; were he to admit that duties such as he had described—of 10*d.* per cwt. on foreign wheat, 1*s.* 3*d.* per cwt. on foreign flour, 1*s.* 8*d.* per cwt. on raw sugar, and 3*s.* 4*d.* on refined sugar—would raise the price on Colonial and home-grown articles to exactly the same extent; and, in the next place, that there would be no increase in the proportion of Colonial produce, which would come in absolutely free as compared with that from foreign countries, which would be subject to taxation—even in that case the fractional increase of charge to such a family would not, he was confident, amount to 1*d.* a-week. He might just say, in passing, that he had never, in the whole of his life, been engaged in a more interesting task than the examination and analysis of the statistics which had been so kindly given to him; and he thought that no Member of the House could go through those statistics, which were in the handwriting of the men themselves, without feeling the deepest sympathy with people in that condition, on obtaining an insight into the minute economy which had to be practised in all their household arrangements. He would instance one case, and he did it in order to show the confidence which might be placed in the statistics of which he had been speaking. He would take an instance —No. 7 — a husband and five children; the wife died recently, so that this poor man had to watch over his weekly expenditure with the most anxious care, and to act both as father and mother to his little family. He (Mr. Ecroyd) confessed he was unable to look through this account of weekly expenditure without being deeply touched. He saw that the man expended 1*s.* 5*d.* for education, and 3*d.* for books and stationery, and all the personal indulgence he allowed himself was 3*d.* for tobacco. He had been accused, and those who thought with him on this question had been accused, of disregarding the interests of people in this condition of life. It was his good fortune to have been brought up amongst them, and to have spent his life amongst them. He knew their daily habits, he thought, as well as any hon. Member of that House, and he should deem it an utterly unpardonable crime to put forth any proposal which would trench in the smallest degree upon their little comforts and indulgences; and if he had not believed that the policy he advocated would have an almost immediate effect in increasing the demand for the productions of their industries, and enlarging the markets for them—in making those markets more secure at present, and more certain of extension in future—he would never have devoted a single hour to this question. The result of the changes he had described would be to leave the Revenue in exactly the same condition as at present, and to leave the position of this class of consumers also the same as at present. No doubt, he might turn to other classes of society who would not reap so great an indirect advantage as the class of which he had been speaking. It was perfectly clear that the mere consumer, who was not engaged or interested in any of the industries of the country, who produced nothing, but only ate and drank and wore, or the person who derived an income from foreign property, would reap no advantage, and might indeed incur some slight disadvantage, from such a change of policy. But he (Mr. Ecroyd) held that the vital interests of the country were best promoted by maintaining the interests of the industrious producer. We were not at all concerned in making this the easiest country in the world for idle people to live in. The only other change he had to propose was that we should levy a duty of 10 per cent *ad valorem* on foreign manufactures imported into this country. In doing this, he would be prepared to exclude every article that could fairly be reckoned as only half-manufactured. Some people believed that what might be properly classed as foreign manufactures imported into this country amounted to some £50,000,000 or £60,000,000 sterling, per annum. He had no sympathy with these extreme and exaggerated estimates; he would not try to stretch the net too widely, and would content himself with taking articles completely manufactured, and levying a duty on them of 10 per cent. He would impose such a duty, for one reason, as a means of making a better bargain in our commercial negotiations with such countries as France. He believed if we were to put an *ad valorem* duty of 10 per cent on French manufactures when we next come to negotiate with France, we should have something to offer on our part, and thus there would be a prospect of increasing the future freedom of trade between that country and England. He estimated that, taking the most restricted list of completely manufactured foreign articles, a 10 per cent duty would produce a revenue of about £2,500,000, and he thought this would be the most unobjectionable and acceptable way of providing a fund for the relief of local taxation. He knew that there was in the minds of many hon. Gentlemen a sort of holy horror of Protection in any form, as a thing of which our hands were at present absolutely clean. But our hands were not clean of the principle of Protection. It had a place in our existing system, as he thought he could very easily prove. What was Protection? Protection was the artificial shielding, by law, of some class of the community from the full and natural pressure of competition, internal or external. That was what he understood by Protection. Now, the Irish Land Act was a distinctly protective law, enacted on behalf of one class in Ireland — and that not the poorest, for the labourers were excluded —and completely shielding that class from the pressure of competition in the matter of rent. The Radical Party were continually demanding the wider application of this principle, and the further limitation in various directions of the freedom of contract. He wished to point out that whatever might be the merits of such proposals, they were every one of them of the full and complete nature of Protection. He might give another notable instance of the prevalence of the principle of Protection in this country. The whole system of the Factory Acts, so far as they limited the freedom of contract in regard to hours of labour, was protective. He would give the testimony of a Member of that House, contained in a speech delivered on the 10th of February, 1847. An important debate took place upon the proposal to limit the hours of labour in factories by law, from 69 to 63; and an hon. Gentleman of great authority in that House, at the present time, said in the course of the debate—

> "For his part, he regarded it as a question of as great importance as that which had been settled last year under the auspices of the right hon. Baronet (Sir Robert Peel)." [He was referring to the Repeal of the Corn Laws.] "That was a question of protection; and in this case the protection was to raise wages at the expense of capital. It was precisely the same principle that was involved in both cases."

Those words were spoken by the right hon. Gentleman the late Chancellor of the Duchy of Lancaster (Mr. John Bright.) He therefore had the testimony of the right hon. Gentleman, clearly and distinctly expressed, that it was precisely the same principle that was involved in the Corn Laws, and in the limitation of freedom of contract as regarded the hours of labour. It appeared to him (Mr. Ecroyd)—and it always had appeared to him—grossly unjust to the British manufacturer, to impose this restriction upon his freedom of contract, unless they balanced it by an absolutely equivalent tax on foreign goods, the manufacture of which was in many cases practically free from such restrictions. There were some instances in which the cost of labour amounted to three-fourths of the cost of the production of manufactures; and could they call that freedom of trade which, whilst leaving the manufacturer at liberty to purchase in the lowest market his raw material, his stores, his coal, his oil, and other articles which entered into the working of the factory, still placed an absolute and protective restriction upon free competition for the sale to him of that labour which might well constitute three-fourths of the value of his production? That was a distinct act of Protection. If they were left free to fix the question of wages, but not to make the best bargain they could with regard to the length of hours of working, the cost of their production was still clearly raised by law. Now, when they had done that—he admitted for the most humane object, which he approved as strongly as any man in the Kingdom—when they had raised the cost artificially by law, was it not an act of grave injustice to allow to come into London from France, from a distance no greater than Lancashire and Yorkshire, goods produced by that more rapid wear and tear of women and children which was forbidden in this country by a wise and humane law? The fact that our policy had not been followed by our neighbours across the Channel, had made that policy no longer conducive to the best interests of the British workmen, but positively destructive of their industries. There were two alternatives in regard to this question, one of which they would at no distant period be driven to adopt. They could either take away the whole fabric of the Factory Acts, and leave the hours of labour open to free competition—if there were any hon. Member in that House who dared to propose such a course—or, if they could not do that, the second alternative was to impose upon the foreign manufactured goods, which were brought into competition with our own in this country, a duty equivalent to the increased cost of production which they had artificially imposed by law on the English manufacturer. He proposed an *ad valorem* duty of 10 per cent on foreign manufactures; and he thought that would fairly compensate manufacturers in this country for the disadvantage under which they were suffering. But it was said that we should thereby raise the cost of all articles of clothing to the people of this country. Now, he wanted to examine that assertion. He wanted to know, if they were to impose a duty of 20 per cent upon the calicoes imported into this country, how much they would raise the price of English shirtings in the Manchester market? And he believed his hon. Friend the Member for Manchester (Mr. Slagg) would acknowledge that it would not raise the cost of those shirtings a single farthing, because the internal competition would suffice to keep it down. But there were articles of which the market price would be raised to the extent of the whole amount of duty imposed upon them. These were articles of pure luxury, such as French millinery and fashionable goods which were brought into the Metropolis and other great towns, articles not used by the working classes, by the country farmers, nor by the small shopkeepers in the country districts; they were articles used by that class of persons who did not care what they spent. He thought such articles of luxury, perhaps, formed the most legitimate objects of taxation which any Chancellor of the Exchequer could pitch upon. He believed that, by the imposition of this duty on foreign manufactures, the cost of clothing to the lower and middle classes in the country would be in no respect raised; but the cost of articles of luxury required by the upper classes would make up the £2,500,000 increased revenue. He would now speak of some of the effects which might be expected to follow from the adoption by this country of the policy which he advocated. In the first place, it would furnish a means of controlling foreign tariffs, and of insisting on our right to bargain for free exchange of manufactures; and if it did not afford us access to the markets of France and other such countries, it would al least have the effect of reserving to our own industries the manufacture of many articles which we now imported from them. In the next place, it would check, to some extent, the rapid decline of the wheat-growing industry, and the consequent depopulation of our rural districts. As a manufacturer, connected not only with the export, but the home trade, he looked with the gravest apprehension on the present condition of affairs in the agricultural districts. He had spoken with many gentlemen on the subject of the decline of our wheat-growing industry, who treated the matter very flippantly, and spoke of the change from arable to pasture and meadow land as an easy operation. But he (Mr. Ecroyd) thought these gentlemen knew little of the difficulties of that change; and, further, that they did not understand the effect which it would produce in the country. One effect would be that for every 1,000 acres of arable converted into pasture and meadow land, at least 30 families would be displaced, and that displaced population must either emigrate or be driven into the large towns, where their presence would seriously lower the rate of wages, and add to the distress of the inhabitants. But, again, a change of this kind, which would depopulate the rural districts of the country, could not take place without producing, in the end, an injurious effect upon the stamina and physical and moral soundness of the English people; for it was well known to how large an extent the town population was strengthened by the existence of a large rural population. For these reasons, he was unable to look upon a change of this nature without very great apprehension as to its future effects. Another effect of the operation of this policy would be to divert capital and enterprize to our own Colonies and to India, instead of allowing them to flow so much as they did at present towards the United States of America, Russia, and other foreign countries. It would give India a vastly increased market for her products in England, and would equally enlarge our market for manufactures in India. Then it would provide a large fund for the relief of local taxation, which was pressing with great severity on our overborne agriculture and manufactures; and it would inspire new hope and enthusiasm amongst our manufacturing population. But it was not only on economical, but on political and social grounds that he believed its effects would be unspeakably good; and they had already had a foretaste of what those effects would be. The principles he had been endeavouring to explain and advocate had already penetrated the minds of scores of thousands of our working people; they had been discussed in their homes and workshops; and, wherever these ideas had entered, they had given to the people a more vivid impression of the extent and resources of their own Empire, and of the importance of its strength and unity to themselves. Moreover, they had inspired them with confidence in place of that despondency which had been caused by the effects of foreign tariffs in many important manufacturing districts of the country. It had taught them that the prosperity of the owners of land and other fixed property in these Islands was an inseparable accompaniment of the prosperity and growth of our industries; that if rents declined, it was because profits had begun already to decline; and that although wages might be sustained for a brief period, they must from the same cause inevitably fall. By the entrance of these convictions into their minds, thousands of working men in this country had been delivered completely and for ever from the possibility of becoming victims to the demagogues who set class against class, and whose only idea of fiscal reform was the lowering of rent. These men were unfriendly to no class; but if they saw injustice or danger to their own interests in the position of any, it was in that of owners and mortgagees of foreign property, lands, and factories resident here and competing severely with our farmers and manufacturers, and consequently with their workmen, but not contributing a tenth part of their fair share towards the great national object provided for—that of local taxation, which was overweighting the farmer, the manufacturer, and the workman in his cottage. Finally, he said that the entrance of these ideas into many a working man's home had quickened and deepened the loyalty of that class to their Sovereign, and to those long-tried institutions of their country, which made her in days long past great and famous, and gave her the wide dominions she possessed. Perhaps, in doing that, it had made some of them Conservatives. Who could tell? He did not profess to say, but he rejoiced to have been able to take any part in this movement; and he trusted it would live and grow under the guidance of abler and stronger advocates than himself, not only because he believed that in its future success was bound up the prosperity, comfort, and social well-being of the people, but because he was well assured that the effect of it, so far as it had gone, had been to knit together all classes in that bond of sympathy, the absence of which in any country always constituted a great danger. He begged to move the Amendment of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in view of the growing injury inflicted upon our industries by Foreign tariffs, and the consequent importance of more rapidly developing the resources of India and the Colonies, it is expedient to free ourselves as early as possible from the restraints of Commercial Treaties to abolish the Duties upon tea, coffee, cocoa, and dried fruits imported from British possessions; to levy specific Duties (in no case equal to more than 10 per cent upon ordinary average values) upon the like articles, as well as upon wheat, flour, and sugar imported from Foreign Countreis; and also to impose an Import Duty upon Foreign manufactures, with the notification that it should cease to operate, as against each Nation, from the day on which such Nation should admit British manufactures Duty free,"—(*Mr. Ecroyd,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir JOHN LUBBOCK said, with reference to the proposal of the hon. Member who had just sat down (Mr. Ecroyd) to levy a tax upon manufactured articles, as distinguished from partially manufactured articles, he did not think that, in practice, any such distinction could be applied; and that, even if his proposal were adopted, only a very small amount of duty could be so levied. With regard to the proposal to reimpose a duty on wheat and flour introduced into this country, he pointed out that that subject had often been discussed in the House. It had been debated at considerable length last Session, and he (Sir John Lubbock) remembered that even from hon. Gentlemen sitting on the opposite side of the House the suggestion had met with very little support. The propositions put forward by the hon. Member were of such a character that any one of them would require a whole evening's discussion, and it would, therefore, be impossible to do justice to them at that hour (12.35). But there was a point in the Bill on which he should like to say a few words. If he understood it correctly, the proposal was to make a very important alteration in the mode of collection of the Income Tax, and one with reference to which scarcely any notice had been given to the country. Hitherto, it had been a vital principle in the system of collection that it should be, to a great extent, intrusted to independent officials and their agents; and that, he believed, had, on the whole, worked very much to the satisfaction of the country. The right hon. Gentleman the Chancellor of the Exchequer proposed to abolish the system, so far as concerned Schedules D and E, with reference to which the officers were, in future, to be appointed directly under the Commissioners of Inland Revenue; but to leave it in force as regarded Schedules A and B, in which the appointments were much less remunerative. The proposal of the right hon. Gentleman would have the effect of setting up two separate bodies of collectors, which seemed to be undesirable; and it should be born in mind that the present collectors had, in many instances, given up other occupations in order to undertake their present duties. He was not aware that the present system of collection had given rise to any dissatisfaction in the country, or that any representation had been made upon the subject to Her Majesty's Government; and, therefore, although he did not wish to express any decided opinion on the point, he ventured to hope that, on going into Committee, or upon some other occasion, the right hon. Gentleman would state to the House the reasons which had induced him to make a proposal for which at present he saw no efficient reason.

Mr. SLAGG said, he wished also to give his reasons for objecting to the proposal relating to the change in the system of the collection of Income Tax. In the first place, it was of so sweeping a character that, when introduced, it should be supported by very substantial arguments. It had been mentioned in the Budget speech, but merely incidentally, as a proposed change of an administrative nature; but it was, in his opinion, one of a very serious character, involving the interests of a large class of respectable and hard-working public officers. As yet he had not been made acquainted with any economic reason for this change; and, so far as the public were concerned, he believed they were wholly without evidence that any dislike existed to the present system of Income Tax collection. The tax itself was, no doubt, objected to as obnoxious and inquisitive; and he looked with hope upon the hint given by the Prime Minister, that one day or another it might be got rid of altogether. One of the allegations, however, in favour of the present system had always been that it was collected by men who knew the people whom they lived amongst, and, being conversant with their cases, could therefore exercise great discernment and discrimination in the collection of the tax. But it seemed that that idea was about to be thrown to the winds; and they were now introduced to a new system of taxation, which on the face of it appeared decidedly objectionable. He had taken pains to inquire amongst persons in his own constituency, who contributed largely to the Income Tax, as to their views on the proposal of Her Majesty's Government. He found that no support whatever was given to it; on the contrary, the evidence he had obtained was entirely in favour of the existing system. But he objected to it from an economical point of view. He had not yet met with any reasons of an economical nature which would justify the course proposed by the Government. On the contrary, it appeared to him, judging from past experience, that the change would involve the country in a very serious augmentation of expense. With regard to the question of pensions and compensation, it appeared to him also that we should be confronted shortly not only with a very augmented expense, but with a fresh army of pensioners. Then there was another feature of the proposal, which to him was distasteful; it was the effort on the part of the Government to secure in this matter centralization. Any steps in that direction certainly did not commend themselves at first sight to him, and more sufficient reason ought to be given for the present step than had as yet been afforded. The Department seemed to be animated by a sudden ambition to acquire for itself a vast accession of power and patronage, and he did not see any reason to satisfy them. But there was another strong argument against the change. It was intended to put the collection of the tax into the hands of a number of permanent officials receiving fixed salaries. The expense of doing so would be augmented considerably by the fact that, for the convenience of the new staff, new offices, and new appurtenances of every kind would have to be provided; and by the fact also, that pensions would have to be granted to the officers when their term of duty had expired. At present, a per centage was only paid on the collection, so that the cost fluctuated with the amount realized, and they received no pensions. He should move an Amendment upon the point in Committee on the Bill; and he thought he should be able to show that the cost of collection by the present collectors was very much smaller than it would be under the system now proposed. He should not trouble the House with any further details on the subject, but reserve them until the Bill reached Committee.

Mr. NEWDEGATE said, the question of the collection of the Income Tax had been brought prominently under his notice by people at Birmingham, and in the populous district he represented; and he could assure the hon. Member for the City of Manchester (Mr. Slagg) that when his Amendment came forward, he (Mr. Newdegate) should be very happy to support it. The change was objectionable upon all the grounds stated by the hon. Gentleman. The House, however, was losing sight of the Amendment which was really before them—namely, that proposed by the hon. Member for Preston (Mr. Ecroyd). Without delaying the House unnecessarily, he (Mr. Newdegate) wished to say that he agreed in the substance of that Amendment. But he agreed also with the hon. Baronet the Member for the University of London (Sir John Lubbock), that the Amendment contained matter which deserved much more attention than it was likely to receive from the House at the present moment. He (Mr. Newdegate) remembered the time when even to venture to look at the sources of Revenue in the sense in which the hon. Member for Preston had treated them, or to venture to mention the commercial connections of the Empire as worth preserving, was treated as an indication of mental blindness. He remembered, too, that when he supported the "Ten Hours Bill" he was resisted by the right hon. Gentleman the Member for Birmingham, the late Chancellor of the Duchy of Lancaster (Mr. John Bright); and he remembered the speech —the eloquent but violent speech—in which that right hon. Gentleman resisted that which he called a Protectionist measure. He had since heard the right hon. Gentleman retract the expressions he used in his opposition to the "Ten Hours Bill." Nay, more than this, he had seen a Member of the present Government carry the system of protecting juvenile labour further than it was carried in 1847. He (Mr. Newdegate) was asked to propose to the House the "Nine Hours Bill;" but he replied that he dare not in the face of the bigotry by which the then novel system of modern economy was assailed. It had since been carried by the right hon. Gentleman the Member for Sheffield (Mr. Mundella), and he (Mr. Newdegate) rejoiced that it had been adopted. He voted silently with the right hon. Gentleman when he carried the protective measure further than he (Mr. Newdegate) dared to propose. The hon. Member for Preston (Mr. Ecroyd) was before his time. He (Mr. Newdegate) remembered being told, in 1847, that 40 years must elapse before the commercial policy of the country would be reconsidered. There were only three years to expire before the 40 would have expired; and, if he was not blind to the signs of the times, this question of Fair Trade, of Reciprocity, of Moderate Import Duties would shortly have to be considered. If this nation did not pay in manufactures, or in produce of some kind, they must pay in gold; and in proportion as the production of gold diminished, they would find the pressure increase. As he said before, however, it was idle to press upon the House at present the reconsideration of a system which was founded on the bigoted and one-sided view of international exchange which had been carefully fostered for years. Too many of the population had been deceived into believing that it had been from the commercial measures of 1846, 1847, and 1860 only, that they had derived prosperity, no allowance whatever having been made for the increase of the circulating medium of the world, which had been caused by the discoveries of gold.

The CHANCELLOR of the EXCHEQUER (Mr. Childers) said, the debate, which had been proceeding for some little time, might be divided into two parts. The larger question was raised by the hon. Member for Preston (Mr. Ecroyd), and the smaller one by the hon. Gentleman the Member for the University of London (Sir John Lubbock). He (the Chancellor of the Exchequer) would deal with the smaller point first. His hon. Friend the Member for the University of London said that in the Customs and Inland Revenue Bill there were certain provisions respecting the collection of Income Tax under Schedules D and E to which he took exception, and he and the hon. Gentleman the Member for the City of Manchester (Mr. Slagg) had said the changes proposed in the Bill were not satisfactory. The hon. Member for Manchester said the Government recommended very sweeping changes, and wished to get in their hand vast power and patronage. He (the Chancellor of the Exchequer) would state to the House, in a very few sentences, what it was the Government proposed to do. At present, in Scotland and in Ireland, and in some districts of England, the Income Tax under Schedules D and E was collected by public officers on a very economical system. Under an old Act, the collection in some places, not of the Income Tax, but of the Land Tax and other taxes, had been made, not by public officers, but by persons who were merely collectors of taxes. The Income Tax under Schedules D and E had been collected by tradespeople—tailors, hairdressers, auctioneers, grocers, stationers, brushmakers, and the like—who were appointed by the Local Commissioners. These people had collected the tax from their brother tradespeople; and he was bound to say that, as far as the Revenue was concerned, the tax had by no means been collected as expeditiously as it ought to have been. It was also held to be objectionable that one tradesman should know the income of his neighbours; and he had received, during the time that had elapsed since the change was proposed, many very strong and urgent requests that the reform would be carried out, simply because it was obnoxious to men of business that their rivals in business should know what their income was. It must be borne in mind that the Bill provided that no change in the mode of collection should be made, unless in each individual case the Treasury was satisfied it would result in economy. He believed the proposed change would lead to economy. He would not, however, say more about the matter at the present moment, because when his hon. Friend the Member for Manchester (Mr. Slagg) moved the rejection of the clause in Committee, he should have a good deal more to say, and he should be able to show the House how entirely justified the late Government were in their proposal on this head. He must now pass to the Amendment proposed by the hon. Member for Preston (Mr. Ecroyd). He listened with great attention to every word the hon. Gentleman said, and he must say there was a great deal in the speech of the hon. Gentleman which appeared to him to be of much interest to the House. The most interesting part of the statement of the hon. Gentleman, if the hon. Gentleman would allow him to say so, was the detail which he had collected as to the expenditure of the working classes upon dress, food, and other necessaries of life, and upon amusement. The House ought to be extremely obliged to the hon. Gentleman for having devoted so much time and attention to a matter which was of so much interest to them. The hon. Gentleman himself admitted, however, that, so far as his proposal was concerned, the inquiries he had made had no particular bearing; that the changes he proposed would only result in a fractional advantage to the class about whom he had made the inquiries.

Mr. ECROYD said, his remarks went to show that, according to the best information he had been able to obtain, the alterations he proposed in the mode of raising revenue, would only affect their expenditure in quite a fractional degree.

The CHANCELLOR of the EXCHEQUER (Mr. Childers) said, that was exactly what he stated. The hon. Gentleman said, for he took his words down, that whatever effect his proposal might have on other charges, the effect would be extremely small—the precise words were "the advantage would be fractional"—in regard to the expenditure of the working classes concerning which he gave such very interesting details. The question raised by the hon. Member, of course, had a very much wider bearing than the mere result upon the expendidure of the particular class of people he referred to. The object of the hon. Member was perfectly plain. Parliament was engaged between 1842 and 1866 in an entire reversal of the former systems which were known either as the Commercial, or as the Colonial, or as the Protectionist systems, and in a substitution for those systems of taxation of what was called Free Trade. The hon. Member's proposal, practically, was to return to those systems. The hon. Member had stated his objections to what was commonly understood as Free Trade; he had given his reasons for giving advantages to the Colonies, by means of differential duties, and he had given his reasons for wishing to enforce Reciprocity with respect to foreign produce. He had explained his reasons with great clearness; and no one could mistake his object, which was simply to go back from all that had been done in getting rid of the old commercial or Colonial system to a system of Reciprocity or Protection. He proposed, in a mitigated degree, he (the Chancellor of the Exchequer) admitted—not nearly to the extent to which those systems were formerly carried out—to land the country once more in the difficulties of those systems. He (the Chancellor of the Exchequer) did not think anyone would expect him to discuss the abstract question of Free Trade. He could not agree with the hon. Gentleman, and he firmly believed the great majority of the House would not feel prepared to reverse the policy which had now been pursued with great success for a quarter of a century. But there were one or two points in the hon. Gentleman's speech to which he thought he ought to refer. The hon. Gentleman spoke with great vigour as to the prospects of India, should Free Trade, so far as that country was concerned, be reversed, and Indian trade with us encouraged. He (the Chancellor of the Exchequer) thought the fact as to India would show that during the last few years trade there had been by no means stationary. On the contrary, under the system of Free Trade, India had advanced with rapid strides, particularly during the last 10 or 12 years. The hon. Member wished to protect Indian tea, by putting a differential duty on China tea; and perhaps he did not know that the export of tea from India since 1872 had increased threefold. Probably, also, the hon. Member was not aware that under the Free Trade system the exportation of wheat had increased during the period he mentioned tenfold, the exports of seeds twofold, and that, in other respects, the export trade had doubled, and even trebled. It was, therefore, the fact that under Free Trade England was most flourishing as to her exports. There was no stagnation in trade so far as Indian produce was concerned; therefore the hon. Member's statement was entirely unfounded, as the figures he had quoted showed. But that was not the question they were discussing now, and he would come to the hon. Member's proposal, rather than dilate upon the grounds upon which he had based it. The hon. Member, first of all, proposed in his Amendment that this country should give up all Commercial Treaties. He (the Chancellor of the Exchequer) was surprised to read those words. He had taken down the hon. Gentleman's proposal afterwards from his speech; and it seemed that he wished to enforce a new plan of taxing the exports coming to us from foreign countries in order that we might be able to make Commercial Treaties with those countries. It was hard to see, therefore, how, when Commercial Treaties were abolished, the hon. Member's object could be carried out in taxing manufactures in such a way that Commercial Treaties might be entered into with foreign countries. Then the hon. Member proposed that there should be no duty on tea, coffee, cocoa, and dried fruits, and that British wheat, flour, and sugar should be protected by a 10 per cent duty upon the like articles coming from foreign countries. The hon. Member had not used a single figure to justify his conclusion that the change he proposed would produce a Revenue equal to the present.

Mr. ECROYD said, that he had spared the House a great array of figures in consequence of the lateness of the hour. He should be very glad to give the right hon. Gentleman statistics which he held in his hand fully justifying this assertion, if he desired to have them.

The CHANCELLOR of the EXCHEQUER (Mr. Childers) said, that when an hon. Member spoke for an hour and a quarter on a subject of that kind, it was a singular thing that the very figures he should leave out were those of the first importance. The hon. Member made this proposal as an Amendment to the Budget Bill; and he asked them to accept, in lieu of the present duty on tea, coffee, cocoa, and dried fruits, Free Trade with our own Possessions, and increased imposts upon the produce of foreign countries. He (the

Chancellor of the Exchequer) thought it would be impossible to produce the duty, raised under the existing rates, by the process alluded to, let the articles come from wherever they might. The first necessity was that the hon. Member should show that there would be no reduction of Revenue by following out his plan. He had failed altogether to make out that point in his speech, which was very full of detail upon other matters. Then the hon. Member proposed—after suggesting that they should abolish Commercial Treaties—that they should have a series of Treaties with all countries who were willing to admit our manufactures free; the conditions of those Treaties being that we should also receive their goods free. Well, he would point out to the hon. Member that his proposal would bring about a very curious anomaly. The hon. Member said that all articles coming from the Colonies were to be free. There were many of the Colonies where the tariffs were based upon Protectionist principles, where the duties were as high as those in any foreign country—where, in fact, they were from 25 even up to 30 per cent of the value of the goods. There were some foreign countries where the tariffs were very much lower at the present time than they were in some of the Colonies; and the hon. Member proposed, as a weapon to induce foreign countries to admit our manufactures free, that we should put a duty upon their produce, whilst he would not use any force at all against the Colonies. Surely, if that principle was to be applied at all, it should be equally applied in all quarters. If we were to endeavour to bring about a system under which other countries would accept our manufactures free, we undertaking to accept theirs free, surely our Colonies, with whom our relations were much more easy than they were with foreign countries, should be put in the same category. Yet the hon. Member, in spite of the fact that the Colonies might be Protectionists, proposed to give them a great boon and advantage over other countries. He (the Chancellor of the Exchequer) pointed to that as an illustration of the inconsistency of the hon. Member's proposal. It was not the only objection to the hon. Member's Motion. He would refer to another. He objected to that plan, as did all hon. Members on that (the Ministerial) side of the House, because they were attached to Free Trade, and did not believe it right to go back to Protection, Reciprocity, Colonial, or any other system of that sort. Under the system of Free Trade this country had become the greatest exporting country in the world; and they believed that the adoption of Protection, in order to increase our exports to a certain extent, would have precisely the opposite effect. Believing thoroughly as they did in Free Trade, he hoped the hon. Member would excuse him if he did not discuss the abstract question at great length. He trusted the House would reject the proposal.

Mr. CHAPLIN said, he regretted that this discussion had not taken place at an earlier hour, when more justice could have been done to the able and admirable speech of the hon. Member for Preston (Mr. Ecroyd). So far as he could gather from the speech of the hon. Baronet who sat on the other side of the House (Sir John Lubbock), and from the speech of the right hon. Gentleman who had just sat down (Mr. Childers), neither of them had been able, or if they had been able they had not attempted, to reply to the speech of the hon. Member for Preston in any detail. That fact in itself, together with the statement of the Chancellor of the Exchequer, to the effect that the hon. Member's speech was interesting in the highest degree, and especially in regard to some details to which the right hon. Gentleman particularly alluded, showed that the speech was one that, to do justice to which, under ordinary circumstances, at such an hour as that, they should have an adjournment of the debate. He (Mr. Chaplin) thought it was a most important subject to discuss—indeed, it had been admitted by the right hon. Gentleman the Chancellor of the Exchequer that that was the case. They had endeavoured, on more than one occasion, to press the Motion on at an inconvenient hour of the night, and it had been left over until tonight, in order that it might be taken at an hour when it could be discussed. There had not been, however, a full opportunity to debate the Amendment. The right hon. Gentleman who had last spoken had taken some exceptions to the speech of the hon. Member for Preston, because he had omitted some details;

and the hon. Member had explained that the reason he had done so was, that the hour was too late for him to give the House all the special particulars as to the mode in which he proposed that the Revenue, which would be lost in the changes he suggested, could be made up to the Exchequer. He (Mr. Chaplin) thought he could supply the deficiency on the part of the hon. Member. The hon. Member, so far as could be gathered from his speech, proposed to abolish certain duties, which would result in a loss of something over £4,000,000 to the Revenue. That might be supplied by levying a duty of 1*s.* 8*d.* per cwt. on foreign unrefined sugar, which would produce £1,165,000, by levying 3*s.* 4*d.* per cwt. on refined sugar from foreign countries, which would produce £439,000, by a duty of 10*d.* per cwt. on foreign wheat. [*Ironical cheering from the Ministerial Benches.*] He could quite understand that cheer from hon. Members below the Gangway on the other side of the House, and he should be ready to reply to it in due time; he should be ready to submit why he, for one, was perfectly prepared to support such a Motion as that. Well, 10*d.* per cwt. on foreign wheat would produce £1,853,000; and, in addition to that, 5*d.* per cwt. on foreign barley would bring in £670,000, making £4,130,000. The duty on dried fruit, &c. would realize £820,000, making in all nearly £5,000,000 sterling, which would be more than a substitute for the reduction which the hon. Member proposed to bring about. As a Member representing an agricultural constituency, he (Mr. Chaplin) received, with great satisfaction, a Motion of that kind, coming from an hon. Member representing an urban constituency. He had long entertained the opinion that agriculture was in an extremely critical position; and he was one of those who believed that the prosperity of our commerce and our trade depended to an enormous degree upon the prosperity of agriculture, and that it would be hopeless to expect agriculture really to prosper unless it were possible to grow corn at a profit. That being his view, when it was proposed by a Representative of the working classes of the country—by a Gentleman coming from a large urban constituency—that that change should be made, he welcomed the suggestion most heartily. He doubted whether any hon. Member sitting on that (the Conservative) side of the House was better able to judge of the interests of the working classes than the hon. Member for Preston; and he supposed that no one had devoted more thought and more care to the collection of details on the subject than that hon. Member. When he (Mr. Chaplin) met a proposal of that kind, it clearly became his duty, and also the duty of hon. Members who were placed in a similar position, to give all the support in their power to it. He did not know what course the hon. Member proposed to pursue with regard to his Amendment. He did not know whether it would be desirable, at such an hour of the night, when the supporters of the policy advocated in it were not numerous, and the Conservative side of the House was thinly attended, to take a division, as it would give a false impression in the country. He did not know whether the hon. Member meant to go to a division or not; but, if he did, he (Mr. Chaplin), for one, should certainly go into the Lobby with him.

Mr. J. G. HUBBARD said, that if to vote for the second reading of the Customs and Inland Revenue Bill meant the expression of an opinion that it should pass in its present shape, he should be unable to vote for it, for the reason, as explained by the hon. Member for Manchester (Mr. Slagg), that a portion of the Bill differed from its general tenour, and was most objectionable. It was intended to make a most serious change in the collection of taxation. The administration of the Income Tax was full of imperfections and inequalities, which were avowedly the result of its hasty imposition for a limited period, and the language of the Act might be interpreted as claiming a right to tax every imaginable kind of property. The Act referred not only to property and incomes in that country, but to property in other countries, where manufactures were carried on under the encouragement and protection of other Governments, who taxed the profits with their own Income Tax, and with all the charges legally leviable. Such incongruities as these were most grotesque; and, knowing the exceeding hardship that would ensue from the literal application of the stringent clauses of the Act, the original compilers of the measure took care that there should be between the Inland Revenue Department and the taxpayer an administrative body, partly unofficial Commissioners, partly collectors of their appointment, who should mitigate, in some degree, the inequalities of the Act, and the hardships attendant upon the collection of the tax by purely official collectors. It was through this unofficial administration that the Act had hitherto been applied with far less friction and difficulty than might have attended it. He (Mr. Hubbard) must protest against that mitigation being removed before the Act itself was subjected to the adjustment which was so desirable. When the Act was reformed its administration might be left to the officials of the Inland Revenue; but, until it was reformed, he must object to the proposed alteration, which would do away with all the mitigating circumstances of the collection.

Sir STAFFORD NORTHCOTE: I only desire to say a few words with regard to the Amendment of my hon. Friend the Member for Preston (Mr. Ecroyd). I quite agree with the right hon. Gentleman the Chancellor of the Exchequer that, at this hour of the night, and under these circumstances, it is impossible to discuss such a proposal as this in all its bearings; and I think my hon. Friend himself will feel that it is quite out of the question for us to give it anything like a serious consideration to-night. But he is at liberty—and I am extremely glad that he is—to state at full length the plan which he himself wishes to adopt. He has, for a considerable time, paid great attention to this question. I cannot say that I myself altogether share his views; but I greatly respect the energy and intelligence with which he has studied the question, and I am quite prepared to admit that the proposals he has made are of an ingenious character, and so arranged as to afford ground for discussion and examination; but that discussion and examination it is quite impossible for us to give to-night. As I understand my hon. Friend's argument, he proposes to us to refer to the effect of these changes on the expenditure of the working men, and also to that argument which he has only given shortly, but which the hon. Member for Mid Lincolnshire (Mr. Chaplin) has given more fully, with regard to their effect on the Revenue. His object, as I understand, was to show that if, according to his proposal and theory, import duties were imposed to the extent he contemplates, they would not bear heavily on the working men; but, on the contrary, would leave them in the same position—or, if anything, in a better position—as regards the actual taxation on the articles taxed at this moment. According to his theory, the working men, not being damnified by the imposition of the duties, are to be benefited by an increase of work and employment which, he contemplates, would result from his system. And so with regard to the Revenue. All that he considered he was bound to do was to make out a *primâ facie* case that this change of taxation would not injure, but rather advantage, the Revenue; but, of course, it is impossible for any private Member to enter into any such matters with any confidence or certainty, without having the advantage of consulting those who are experts and officially connected with the management of these Departments. Then my hon. Friend has made an important and ingenious proposal for the development of a sort of Zollverein between England and her Colonies; but his proposal is not complete, because he does not provide for securing the admission into the Colonial markets of English goods on corresponding terms with those upon which Colonial goods are to be admitted into the English market. That is a matter which I think my hon. Friend will see requires careful consideration. There are other points, upon which I cannot enter at the present moment; but which, in the same way, require much fuller development and examination than we could give to-night. I hope my hon. Friend will not think it necessary to put the House to the trouble of a division. He has had an opportunity of making his statement. He has made his statement carefully, and in an interesting manner, and I recognize the spirit of his proposal; but I am unable to agree with the proposal, and I hope he will not think it advisable to bring about a division on the subject.

Mr. ECROYD said, he was satisfied with the discussion which had taken place, and he had never been so presumptuous as to expect to obtain a majority on this question. He was fully aware of the disadvantage under which any private Member must lie, in such a case, as the right hon. Gentleman (Sir Stafford Northcote) had pointed out; and he should be quite willing to withdraw the Amendment.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question, "That the Bill be now read a second time," put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

## *MOTIONS.*

—:0:—

### POOR RELIEF (IRELAND) BILL.

MOTION FOR LEAVE. FIRST READING.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to make temporary provision for the relief of the Destitute Poor in Ireland."—(*Mr Trevelyan.*)

Mr. KENNY asked the Chief Secretary for Ireland to explain what was the object and character of this Bill.

Mr. TREVELYAN said, he would have explained the Bill without being asked, but that it was such a simple measure that when it appeared it would explain itself. He should be very glad to gratify the wish of hon. Members from Ireland. The purpose of the Bill was to assist Unions in Ireland—which were not mentioned in the Bill—which were found to be unable to meet their liabilities, without imposing on the ratepayers a burden which, practically, they would not be able to pay. There were three Unions in that condition, having been forced to borrow money—the Templemore Union, which had borrowed £1,000 from the Treasury; the Killala Union, which had borrowed £500; and the Swinford Union, which had borrowed £1,000. These Unions had no power to borrow these sums; and, consequently, one of the clauses in the Bill would indemnify the Boards of Guardians for having borrowed the money, and the Local Government Board for having entered into the transaction. Another clause would enable Boards of Guardians to borrow money in the same way up to the 25th of March, 1884, and would lay down the conditions under which they might borrow. Another clause would enable the Public Works Commissioners in Ireland to make grants to distressed Unions up to the extent of £50,000; and he was inclined to think that the Local Government Board, who would be the advisers in this matter to the Public Works Commissioners, would advise that grants should be made to all Unions which they were satisfied would not be able to get on without such assistance. Speaking personally, he should be very sorry to see Unions permanently burdened in order to meet liabilities and demands caused by what had certainly been an exceptional year. He would not describe the state of these Unions more minutely; hon. Members knew their condition only too well; but in one or two of them the rate which would have to be struck would be 5*s.* 6*d.* on the pound valuation; and in some of the electoral divisions it would be as high as 7*s.* or even 9*s.* When he mentioned that, he thought hon. Members would allow that, in the interests of the Unions, they should not be burdened with such burdens as those rates would involve. The Bill consisted of three clauses—the 1st, empowering the Government to make grants to distressed Unions; the 2nd, to permit the Unions to borrow; and the 3rd, to indemnify the Unions for having already borrowed.

Mr. PARNELL said, he was very much obliged to the right hon. Gentleman for his explanation of the provisions of this Bill; but he felt great disappointment at the absence from the Bill of any really efficient measures for carrying out the title of the Bill. When he saw that the right hon. Gentleman proposed to bring in a Bill for the purpose of relieving temporary distress in Ireland, he hoped that the Government had, at last, aroused themselves to a sense of the real position in Ireland at the present moment, and were about to make some provision, however late it might be, to relieve the suffering which many people were enduring in some of the Unions mentioned by the right hon. Gentleman. But the right hon. Gentleman had now practically informed the House that the only proposal he had to make was to allocate money, by way of grants or loans, to provide indoor relief in those districts, and also, he (Mr. Parnell) supposed, by means of the grants of £50,000, to facilitate the emigration which had lately been set on foot. This was a Bill which he and his hon. Friends would, consequently, be bound to oppose. They did not believe that indoor relief could be effective for the purpose; and every step which the right hon. Gentleman had taken to force people into the workhouses was simply so much advance made towards the gradual starvation of many thousands of persons in the West of Ireland. Neither could they support the proposal to make grants to Unions for emigration purposes. No scheme which the Government had yet brought forward had recommended itself to either the sense of justice of the Irish people, or to the sense of justice of that House. They saw already the result of landing several cargoes of impoverished emigrants in America. Public opinion in that country was being directed to the necessity of stopping emigration, and the scandal which was being created by large herds of these people being shovelled out on to the American shores. This was fast becoming one of considerable magnitude, and he should not be surprised to see some remonstrance addressed to the English Government by the American Government against their using the United States for the purpose of receiving paupers made so by English law in Ireland.

Mr. COURTNEY rose to Order, and asked whether the hon. Member (Mr. Parnell) was in Order in the remarks he was making, seeing that the Chief Secretary for Ireland had explained that the Bill did not touch emigration?

Mr. SPEAKER: The hon. Member must confine himself to the terms of the Question, which is, that leave be given to introduce a Bill for the relief of the destitute poor in Ireland.

Mr. PARNELL said, it was true that the right hon. Gentleman did not state specifically for what purpose the money granted was to be used; and if the right hon. Gentleman would say that this £50,000 which he proposed to enable the Local Government Board in Ireland to advance was not to be used for the purpose of emigration, then he would willingly admit that he was out of Order. But until he had a higher authority as to the purport of the Bill, he should be obliged to consider that he had accurately described the purport of the measure, and, in fact, that he was giving a truer description of it than the right hon. Gentleman the Chief Secretary to the Lord Lieutenant had given himself. Of course, if the right hon. Gentleman told him that he was wrong, and that this money had not been used for emigration purposes, and that it was not proposed to be used for emigration purposes, he should drop that portion of the subject at once. But until then, he should submit, as he was entitled to do, that it was intended to use the money for emigration purposes.

Mr. TREVELYAN said, the money was required for the purpose of enabling certain Unions to pay their Union officers, to whom they were indebted for paying factors for supplies, which, in some cases, they had stated their intention of discontinuing. The hon. Gentleman knew the relation of the Unions in Ireland to emigration, and had asked two questions—first, whether the Bill was for the purpose of indemnifying the Unions for money already spent in emigration; and, secondly, whether there would be power to borrow under the Bill for the purposes of emigration. With regard to the first question, of course, he (the Chief Secretary for Ireland) was unable to say whether, under the old law which had been in existence, he supposed, for 30 years, some of the Unions might not, at some time or other, have given assistance towards purposes of emigration out of the rates. He thought, however, that it was extremely unlikely. A very small sum had been expended; on the whole, not more than £34,000. But, as regarded the more important question, whether Unions would either borrow under the Bill for the purpose of emigration, or might indemnify themselves out of the money received under the Bill for loans made under the Arrears Act for purposes of emigration, he could only say that the Local Government Board would look with grave disapprobation on a Union being so indebted that it was obliged to resort to borrowing for another purpose, even if that purpose were emigration. He thought he could give the hon. Gentleman an absolute pledge that no such Union would be assisted out of this loan.

Mr. PARNELL: But how about the grant?

MR. TREVELYAN said, he could give a personal pledge that he should consider the Union which had the grant would have no right to borrow money for any purpose whatever, and that it should be applied only to the purpose for which the grant was given.

MR. O'BRIEN asked how the right hon. Gentleman could have any guarantee that it was being used for relief?

MR. TREVELYAN said, there would be no alteration made in the Poor Law.

DR. LYONS inquired what distinction the right hon. Gentleman drew between the grant and the power to loan? Was the grant in the nature of a free gift, or of a loan?

MR. TREVELYAN said, the Bill would enable it to be in the nature of a free gift.

DR. LYONS: Out of what source?

MR. TREVELYAN: From the Church Fund.

Question put.

The House *divided*;—Ayes 124; Noes 9: Majority 115.—(Div. List, No. 72.)

And, That Mr. Trevelyan and Mr. Herbert Gladstone do prepare and bring it in.

Bill *presented*, and read the first time. [Bill 154.]

### LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (RATHMINES, &C.) BILL.

On Motion of Mr. TREVELYAN, Bill to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the township of Rathmines and Rathgar, and to the towns of Tralee and Warrenpoint, *ordered* to be brought in by Mr. TREVELYAN and Mr. HERBERT GLADSTONE.

Bill *presented*, and read the first time. [Bill 153.]

### PARLIAMENTARY REGISTRATION (IRELAND BILL.

On Motion of Mr. TREVELYAN, Bill to facilitate the Registration of Parliamentary Voters in Ireland, *ordered* to be brought in by Mr. TREVELYAN and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented*, and read the first time. [Bill 155.]

House adjourned at Two o'clock.

## HOUSE OF LORDS,

*Friday, 27th April,* 1883.

MINUTES.]—*Sat First in Parliament*—The Lord Wemyss (The Earl of Wemyss and March), after the death of his father.

PUBLIC BILLS—*First Reading*—Isle of Man (Harbours) * (50).

*Second Reading*—Oyster and Mussel Fisheries Orders Confirmation * (33); Mersey River (Gunpowder) * (46).

*Committee—Report*—Tramways (Ireland) Provisional Order (Extension of Time) * (28).

*Report*—Contempts of Court * (45).

*Third Reading*—Medical Act Amendment (49), and *passed.*

### MEDICAL ACT AMENDMENT BILL.

(*The Lord President.*)

(NO. 49.) THIRD READING.

Bill read 3ª (according to order).

*Moved,* "That the Bill do pass."—(*The Lord President.*)

THE MARQUESS OF SALISBURY moved that the number of members of the Medical Board be reduced from 17 to 16, by removing the Society of Apothecaries from the Board.

Amendment *moved,* in Clause 9, page 3, line 30, to leave out ("Four") and insert ("Five.") — (*The Marquess of Salisbury.*)

THE EARL OF CAMPERDOWN said, he trusted that his noble Friend the Lord President would assent to the Amendment. The Society of Apothecaries would, of course, lose their power of granting licences to medical candidates; and it was, therefore, to be expected that their degree and diploma would not be sought after with so much avidity in the future.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, he did not see any representative of the Apothecaries' Company in the House, and he himself did not feel in a position to present their case with any confidence to the House. On the information he had obtained, he thought the claims of that body to representation on the Board were of the slightest; and he was, therefore, prepared to accept the Amendment of the noble Marquess.

Amendment *agreed to.*

On Motion of The Marquess of SALISBURY, further Amendment made in same Clause, by leaving out line 32.

Bill *passed*, and sent to the Commons.

## METROPOLITAN IMPROVEMENTS—HYDE PARK CORNER.

### OBSERVATIONS. QUESTION.

EARL FORTESCUE rose to call attention to the certain inadequacy of the great improvement now making at Hyde Park Corner to do more than mitigate for a time the inconvenience which must still result from the two streams of yearly increasing traffic from North and South, East and West, crossing each other there on the same level. The noble Earl said that the traffic at that point proceeding from North to South would go on increasing in the future; and, notwithstanding the great additional space and multiplication of communications under the present scheme, they would be found inadequate. He feared, therefore, the streams of traffic would continue to interfere with one another, if no further openings were made to relieve its passage through the Park. In asking Her Majesty's Government, Whether an additional carriage-way in and out of the Park could not be made, opening into the wide space opposite Sloane Street, to supplement the enlarged vent for North and South traffic at Hyde Park Corner and the small and cramped vent for it at Albert Gate? he might point out that the site was at present unoccupied by houses, and therefore could now be more cheaply dealt with than at any other time.

LORD SUDELEY: I am sorry that I am unable to give the noble Earl much information on this subject. The present position is simply that a great and very important improvement has been made at Hyde Park Corner; and until it is opened and used for public traffic it is quite impossible to form any accurate opinion as to the results of the alteration. The police authorities believe that it will be an enormous boon, and will relieve the congestion of traffic which has so long existed. It is possible that in course of time the increased traffic may necessitate further steps being taken; but it is clearly premature at this moment, within four days of the opening of these additional roadways, to give any decided opinion on the matter. The First Commissioner has taken great interest in the working out of this scheme, and proposes to watch the result very carefully, to see if any further steps are necessary. As regards the noble Earl's suggested improvement from Sloane Street into the Park, with a large open space, I can only say that at present it has not been under consideration. It is, however, very doubtful whether an additional gateway into the Park so near Albert Gate would not seriously interfere with police arrangements. In any case, it is self-evident that a considerable sum would be required to purchase the property opposite Sloane Street, which would have to be voted by the other House. It would really be a matter, to a very great extent, which ought to be dealt with by the Metropolitan Board of Works as one of their street improvements. I am sorry to be unable to follow the noble Earl further through his statement, and can only assure him that the First Commissioner will very carefully consider the views he has expressed when the proper time arrives.

EARL FORTESCUE explained that he had believed till then that the ground between the Park and the Knightsbridge Road was Crown property.

[The subject then dropped.]

House adjourned at a quarter before Five o'clock, to Monday next, a quarter before Eleven o'clock.

# HOUSE OF COMMONS,

*Friday, 27th April,* 1883.

---

MINUTES.]—*Standing Committee on Law and Courts of Justice and Legal Procedure*, Mr. Reginald Yorke *discharged*, Mr. Arthur Balfour *added.*

PUBLIC BILLS—*Committee*—Customs and Inland Revenue [140]—R.P.

*Report*—General Police and Improvement (Scotland) Provisional Order (Broughty Ferry Paving)* [1].

### INDISPOSITION OF MR. SPEAKER.

The House being met, the Clerk at the Table informed the House of the unavoidable Absence of Mr. Speaker on account of severe indisposition:—

Whereupon Sir Arthur Otway, the Chairman of Ways and Means, proceeded to the Table as Deputy Speaker, and after Prayers counted the House, and 40 Members being present, took the Chair pursuant to the Standing Order.

### PARLIAMENT—COMMITTEE OF SELECTION.

Leave to the Committee of Selection to make a Special Report:—

SIR JOHN R. MOWBRAY accordingly *reported* from the Committee of Selection, That they had discharged Mr. Reginald Yorke from the Standing Committee on Law and Courts of Justice, and Legal Procedure, and had appointed in substitution Mr. Arthur Balfour.

Report to lie upon the Table.

## QUESTIONS.

### POST OFFICE—HOUSE OF COMMONS LOBBY.

MR. J. N. RICHARDSON asked the Postmaster General, Whether he will furnish the House with an estimate of the average number of letters which pass daily through the post office in the lobby of the House Commons during the sitting of Parliament; whether he can hold out any hope of providing such increased accommodation in that department as would conduce to the better health and comfort of the officials; and, whether in making any such alteration it would be feasible to combine the telegraph department with the post office in the inner lobby?

MR. FAWCETT: On a day which may fairly be taken as an average one, I find that 2,150 letters were posted in the House of Commons post office, and 3,780 were received, of which 2,860 were re-directed to Members. The question to which my hon. Friend refers, of providing better accommodation for the officers of the post office in the Lobby has frequently occupied my attention, and with that object I have been in communication with the right hon. Gentleman in the Chair, who, I regret to say, is absent, and with my right hon. Friend the First Commissioner of Works. I regret, however, to say that up to the present it has been found impossible to provide improved accommodation in consequence of the restricted space available. A combination of the telegraph office with the post office in the inner Lobby would, in my opinion, be a most desirable arrangement, inasmuch as it would afford a very great convenience to the House generally; but the difficulty I have already alluded to has, up to the present, prevented this change from being carried out.

MR. RAIKES: Has the right hon. Gentleman considered the possibility of taking away the private room, at present occupied by the Secretary to the Treasury, which is immediately behind the office?

MR. FAWCETT: No, Sir.

### PREVENTION OF CRIME (IRELAND) ACT, 1882—PROCLAMATION OF TIPPERARY CO.

MR. MAYNE asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether any serious outrages have been committed recently, or during the last three years, in the townlands of Cloneyharp, Garvanmore, and Derrymore, in the parish of Clogher, county Tipperary; and, if not, why a force of extra police has been quartered on the occupiers of those parishes, and whether this force of police will be now removed; and, whether, in the case of Mr. William Robertson Jones, a landlord in the district, the Irish Government continues to place a police guard at his personal service?

MR. TREVELYAN: A caretaker on an evicted farm has been for some time subject to "Boycotting," which was encouraged by the people of the neighbourhood; and a serious outrage occurred on the 6th of last month, when a large hayrick of 30 tons was maliciously burnt. It was in consequence of this, and the apprehension of further outrage, that the Lord Lieutenant thought it necessary to proclaim the district under the Prevention of Crime Act and send additional constabulary there. This was done by proclamation, dated the 5th of this month, and it is not considered that the force can at present be safely removed. The men are not required for the protection of the landlord, Mr. Jones, who resides in another part of the country.

### CONTAGIOUS DISEASES (ANIMALS) ACT (IRELAND)—WESTMEATH.

Mr. HARRINGTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that the restrictions which the Privy Council have imposed upon the sale and removal of cattle in the county of Westmeath have caused a very serious injury to the farming class in that county, as well as to the traders and shop-keepers in the different towns where fairs and markets have been prohibited; and, if he will see that these restrictions are removed at the very earliest opportunity, and that care will be taken to render them as little oppressive as is consistent with public interests?

Mr. TREVELYAN: It is, of course, inevitable that in any district where it is found necessary to impose restrictions of the character referred to, those interests which depend upon the cattle trade will suffer more or less of inconvenience; but it must be remembered that the restrictions are imposed in the public interests to prevent the spread of disease, which could not fail eventually to cause much greater damage and loss. Every care has been, and will be, taken by the Lord Lieutenant and his responsible advisers in the matter to see that no greater restrictions are imposed than the public interest demands.

Mr. HARRINGTON: Is the right hon. Gentleman aware that the veterinary surgeons are not disinfected when going from an infected to a non-infected district; whereas farmers are subjected to this process?

[No reply was given.]

Mr. HARRINGTON said, he would repeat the Question on Monday.

### THE MAGISTRACY (IRELAND)—LOUTH PETTY SESSIONS—CAPTAIN KEOGH.

Mr. T. P. O'CONNOR (for Mr. Sexton) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that at the conclusion of the Louth (county Louth) Petty Sessions on a recent day, several residents of the village were desired by the police to come before the Justices, Captain Keogh, R.M., Captain Filgate, D.L., Mr. Foster, and Mr. J. C. Kieran, and on the appearance in Court of Messrs. John Taaffe, Richard Marmion, and Ryan, they were asked by Captain Keogh, R.M., if they would permit their names to be used as complainants in proceedings for the removal of a structure erected on the fair green of the village, to serve as a meeting place for the local branch of the National League; and, on the refusal of the inhabitants to allow their names to be used in the manner desired by Captain Keogh, he declared that he would have the building removed, and the parties who erected it prosecuted; and, whether, if the facts be as stated, Captain Keogh had any right, either to summon before him persons in the manner described, or to invite them to take the course described?

Mr. TREVELYAN: I am informed that the facts of this case are as follows. The hut has been erected on the fair green, which is a common. At Petty Sessions, on the 12th instant, Captain Keogh, the Resident Magistrate, told a constable to have word sent to some of the principal residents in the village to ascertain their opinion as to whether the hut was an obstruction to public rights. Messrs. Taaffe, Marmion, and Ryan attended the Sessions; and when asked by Captain Keogh whether they had anything to say on the subject, they said they would not interfere. The Resident Magistrate then said that as they did not seem to take any interest in the case he would see what could be done about it, as it was too bad to have the common encroached upon. I have not heard what has been done since.

### PREVENTION OF CRIME (IRELAND) ACT, 1882—ARRESTS AT MILTOWN MALBAY.

Mr. KENNY asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to the arrests of several respectable farmers in the vicinity of Miltown Malbay; if they have been charged with conspiracy to murder; if it is true that no outrage has occurred in the district for upwards of twelve months; if it is a fact that four men were first arrested and examined at the police barrack with a view to extract information from them respecting the alleged conspiracy; whether failing this they were discharged and arrested again the same night and conveyed to Ennis

Gaol; if they have been kept there since Thursday April 19th, by order of Mr. Clifford Lloyd, special resident magistrate, without permission to see any of their friends; if one of them, Francis Egan, was kept separate from the others, and then sent home under police protection; if he has since been followed everywhere he goes, even into church, by policemen; if Mr. Egan has repeatedly and emphatically declared that he has no information to communicate; and, whether, since no evidence whatever can be procured to prove the complicity of any of the men arrested in conspiracy, Her Majesty's Government will order their immediate discharge from custody?

Mr. TREVELYAN: I must ask the hon. Member to be good enough to repeat this Question on a later day, as I have not had time since it appeared on the Paper yesterday to receive the necessary Reports from the West of Ireland to enable me to answer it.

### THE IRISH LAND COMMISSION (SUB-COMMISSIONERS)—THE GRANARD UNION.

Mr. JUSTIN M'CARTHY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to a resolution passed by the Board of Guardians of the Granard Union, county Longford, on the 23rd instant, declaring that—

> "Great injustice and hardship" will be inflicted "on the tenant farmers of this Union who have applied to the Land Courts to have a fair rent fixed by the Land Commissioners omitting Granard from the List of Fixtures published for the next sitting;"

and adding that

> "The cost and trouble, along with the delay, were indeed bad enough without removing the Court of Redress, in many cases, to a distance of twenty-five or thirty miles;"

and, whether, if this statement be correct, he will take steps to remedy the grievance of which the Granard Guardians complain?

Mr. TREVELYAN: The Land Commissioners inform me that they fixed upon the town of Longford as the best place for the opening of the Court, and that the Sub-Commission has power to adjourn for the hearing of cases to any other town in the county that may be more convenient than Longford to the parties interested.

### LAW AND JUSTICE (IRELAND)—TRIAL OF TIMOTHY KELLY FOR MURDER—PROTECTION FOR WITNESSES.

Mr. O'BRIEN asked Mr. Attorney General, Whether his attention has been called to the following paragraph in the Dublin correspondence of the "Daily News," of April 26th, respecting the disagreement of the second jury in the case of Timothy Kelly:—

> "The position in which the jury stood was unconsciously revealed by the foreman, who, when the judge replied to a question asked upon the subject of these two witnesses, turned to the obstinate juror with the observation, 'There, now,' at which the juror coloured up, and clearly saw that a great many people had observed him;"

and, whether he will take steps to protect jurors from being intimidated in this manner in the conscientious discharge of their duty in a capital case which is still sub judice?

Mr. TREVELYAN: I presume by the last passage in the Question that the hon. Member intended to put it to my right hon. and learned Friend the Attorney General for Ireland. [Mr. O'Brien: No.] Well, in reply to the Question, I have to say that, no doubt, the Attorney General for Ireland will take all necessary steps to protect against intimidation the jurors serving upon the trials now pending in Dublin. As regards the alleged incident referred to, I do not think there is anything in it which calls for any action on the part of the Attorney General for Ireland.

Mr. O'BRIEN: Will the right hon. Gentleman be prepared to extend similar toleration to the National journals in Ireland when commenting upon the administration of justice?

Mr. TREVELYAN: Well, Sir, I think that anyone who read some of the Dublin journals last week will think that we have pretty broad ideas of toleration.

### LOCAL TAXATION—THE SUBVENTION OF 1874—SUBSEQUENT INCREASE OF THE COST OF THE POLICE.

Viscount FOLKESTONE asked the President of the Local Government Board, Whether it is the case that the cost of the Police increased in a less rapid ratio after the subvention of 1874 than before; and, whether it is the case, taking the official figures for the three years before 1874 and the three years after, the increase in the latter has been about 9 per cent as against about 17 per cent for the former?

Sir CHARLES W. DILKE, in reply, said, the ratio of increase for the period referred to was less in counties and greater in boroughs. The figures of the noble Viscount were not those which the Government were able to deduce.

## POST OFFICE (CONTRACTS)—THE SCOTCH MAIL SERVICE—ACCELERATION.

Mr. WEBSTER asked the Postmaster General, Whether, in any re-arrangement of the contracts for the conveyance of the night Mails, care will be taken to provide for the anxiously expected acceleration of the Scotch Mails?

Mr. FAWCETT: I can assure my hon. Friend that the question of accelerating the Mails to Scotland shall be carefully considered, and I shall be very glad to effect any improvement if it is found practicable.

## ARMY MEDICAL AND TRANSPORT SERVICES—REPORT OF THE COMMITTEE.

Lord EUSTACE CECIL asked the Secretary of State for War, When the Report of the Committee on the Army Medical and Transport Services will be laid upon the Table of the House?

The Marquess of HARTINGTON, in reply, said, the Committee had nothing to do with the Transport Services, but confined itself entirely to the Army Medical Department. He hoped to have the Report in his hands in a day or two; and he could assure the noble Lord that there would be no unnecessary delay in laying it upon the Table of the House.

## METROPOLIS—ELECTRIC LIGHTING.

Mr. J. R. YORKE asked the President of the Board of Trade, Whether it is the fact, as reported, that several local authorities in London are unwilling to enter into arrangements for establishing electric lighting within their respective districts; and, if so, whether, in view of such unwillingness, he would be disposed to consider the advisability of still further extending the time allowed to such local authorities for considering the provisions of the Model Provisional Order recently issued by the Board, for the guidance of local authorities seeking to make arrangements with Companies for the introduction of new systems of electric lighting throughout the Metropolis?

Mr. CHAMBERLAIN, in reply, said, that it was true that some of the local authorities in London desired to have further time to consider what course they should take with regard to electric lighting; but if such delay were granted it would be impossible to carry any scheme for lighting their district by electricity into effect during the present year owing to the Standing Orders of the other House. Some of the principal local authorities, both in London and in the country, had already found the Model Order a satisfactory arrangement; and all those bodies, in his opinion, had had plenty of time for full consideration of the subject.

## HIGHWAYS—THE FOREST OF DEAN.

Colonel KINGSCOTE asked the Secretary to the Treasury, Whether, should the Forest of Dean (Highways) Bill become Law, the Crown will contribute towards the maintenance of the highways?

Mr. COURTNEY: Yes, Sir; I can assure my hon. and gallant Friend that the Crown will make a contribution in lieu of highway rate based on the same principles as the contributions now made in lieu of other rates.

## PARLIAMENT—INLAND REVENUE DEPARTMENT—GRIEVANCES OF OFFICERS—RIGHT OF PETITION.

Lord RANDOLPH CHURCHILL asked Mr. Chancellor of the Exchequer, Whether, seeing the very great interests represented by the signatories to the Petitions against the Circular of the Inland Revenue Department, and the fact that the wives or families of many public servants depend on the signatories retaining their places or prospects under the Inland Revenue Board, he does not see his way to giving the House an assurance that no servant of the Board shall be in any way molested or damaged for having petitioned the House of Commons?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): To this Question I gave the right hon. Gentleman the Member for the University of Cambridge (Mr. Raikes) yesterday a most plain answer; and that is that Her Majesty's Government, with respect to any such Petition, would do nothing to come into collision with the well-known Privileges of the House of Commons. If any public officer pleases—and this question does not concern alone servants of the Board of Inland Revenue; but it concerns every soldier, every sailor, every man of the Civil Service—everybody, in fact, who receives Government pay—if he pleases to address a proper Petition to the House of Commons, undoubtedly the Government would not dream, nor has the Inland Revenue ever dreamt, of interfering with it. But the Question of the noble Lord goes much further than that; and in respect to Petitions which it would not be proper to present, I can only repeat what I have said before, that the limits of the question can only be dealt with in debate. As to proper Petitions there is no question whatever.

Lord RANDOLPH CHURCHILL: I beg to give Notice that on Monday next I shall present 250 Petitions, signed by nearly 2,000 servants of the Board of Inland Revenue, against the Circular issued by the Department.

Mr. GORST: Will the right hon. Gentleman say whether by proper Petitions he means Petitions proper according to the Rules of the House of Commons, or proper Petitions in the view of Her Majesty's Government?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): I should have thought that there could have been no question upon that point. A proper Petition is a Petition that is fit to be presented to the House of Commons, and which is in accordance with the Rules of that House.

## TIMBER PLANTING (IRELAND)—RETURN OF TREES PLANTED SINCE 1857.

Mr. MARUM asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has any objection to have a Return ordered from the Clerks of the Peace of the several counties of Ireland of the number of timber trees registered since the last Return of the same made to Parliament in the year 1857?

Mr. TREVELYAN: The Government would not offer any objection to such a Return should it be moved for; but it would, no doubt, take a long time to prepare, as it would cover a very long period. I may observe that the Return prepared in 1857 covered a period of only 10 years.

## THE IRISH LAND COMMISSION—JUDICIAL RENTS, DONEGAL.

Mr. T. P. O'CONNOR (for Mr. Sexton) asked the First Lord of the Treasury, Whether he is aware that dissatisfaction exists among the tenantry on the estate of the representatives of the late Mr. Ebenezer Bustard, in the County of Donegal, in consequence of the effect of appeals from the decision of the local Sub-Commission, brought by the landlord before the Appeal Court of the Land Commission, heard at Lifford on the 3rd and 4th instants, and decided at Derry on the 7th instant, with the result that increases amounting to £12 10*s.* a-year, above the rents fixed by the Sub-Commission, were placed upon five of the tenants; whether the Sub-Commissioners, Messrs. Bourke, Sproule, and Mahony, who fixed the judicial rents on this estate, made a careful examination of the soil, in various places, in each field, of every holding; and, whether the reductions decreed by them amounted in the average to no more than 20¾ per cent, or nearly 2 per cent less than those given in March last by Mr. Gray and Colonel Bayley, the latter of whom has been removed from Donegal, after a public meeting of tenants, calling for his removal on the ground of the insufficiency of the reductions; whether he is aware that, seventeen years ago, a substantial increase of rent was imposed upon the tenants on this estate, the landlord engaging to expend the increase on improvements, and that the said engagement was never carried out to the least extent, but that, on the other hand, the tenants have since considerably increased the value of their holdings by improvements; and, whether the Court Valuers, acting for the Court of Appeal, valued the five farms on which the Court of Appeal decreed increases at a higher figure than that fixed by the Landlord's Valuer (who was examined before the Sub-Commission, but not before the Court of Appeal)?

Mr. TREVELYAN: At the request of the First Lord of the Treasury, I will answer this by merely acting as the channel of information from the Land Commissioners, who have made the following remarks:—

"The Land Commissioners are always ready to give the fullest information that may be asked for in Parliament as to every administrative detail of their proceedings; but they must respectfully decline to enter into any justification of their judicial decisions, or any explanation of the considerations and causes which led to those decisions. The Commissioners notice that it is implied in this Question that Colonel Bayley was removed from Donegal in consequence of his removal having been called for at a public meeting. The Commissioners have already given an unqualified contradiction to that allegation; they stated that they were not aware of any such public meeting as that alluded to having been held when they appointed Colonel Bayley to the Mayo Sub-Commission."

I have given the whole of the statement, and I cannot add anything more.

## CONTAGIOUS DISEASES ACTS COMMITTEE—THE JUDGE ADVOCATE GENERAL.

Mr. CAVENDISH BENTINCK asked the First Lord of the Treasury, Whether he has read a speech made by the Right honourable Member for Halifax in London on the 25th of October 1881, in which the following expressions occur:—

"In exchanging Mr. Shaw Lefevre for Mr. Osborne Morgan we have lost a trustworthy and intelligent friend and have gained an opponent, and the mischief and the bitterness for the Liberals amongst us lies in the fact that his opponent is the nominee on the Committee of Her Majesty's Government. Mr. Osborne Morgan has in my opinion played the part on that Committee of a partisan advocate. Mr. Osborne Morgan has so played his part as to outrage members of the Committee who are opposed to these Acts. He has sat there as the advocate of the Acts. What I say about him I say simply because he is the representative on that Committee of the present Government. I have made representations to the Government upon the subject. Either he represents them or he does not. If he does, then they are our opponents on the subject. If he does not, it is time for them to look after him lest he should commit them too far;"

whether, as alleged by the Right honourable Member for Halifax, the Judge Advocate General was the nominee and representative of Her Majesty's Government upon the late Committee on the Contagious Diseases Acts; whether any grounds exist to sustain the allegations that the Judge Advocate General played the part of a partisan advocate on the Committee, and conducted himself so as to outrage any of the members thereof; whether Her Majesty's Government intend, either by Parliamentary inquiry or otherwise, to test the truth of the charges thus deliberately made against the Judge Advocate General, or whether these charges are to remain unchallenged; and, whether it is the fact that the Right honourable Member for Halifax has made any representations to Her Majesty's Government upon the subject, and what were the purport and effect of such representations?

Mr. GLADSTONE: My attention was not called to the paragraph of the speech in question until I saw the right hon. and learned Gentleman's Question upon the Paper this morning; but I have no difficulty in answering his inquiries, with the exception of the last one, to which I am unable to give a perfect answer. The right hon. and learned Gentleman asks me, in the first place—

"Whether the Judge Advocate General (Mr. Osborne Morgan) was the nominee and representative of Her Majesty's Government upon the late Committee on the Contagious Diseases Acts?"

In reply to that inquiry, I have to state that we were originally parties to the agreement under which my right hon. Friend the First Commissioner of Works (Mr. Shaw Lefevre) acted upon the Committee, and in a certain sense he represented the Government; and in that same sense the Judge Advocate General represented the Government for the purpose of assisting the proceedings of the Committee, but by no means in the sense of representing any official opinion. I believe my right hon. Friend the First Commissioner of Works had declared his views on the question before going on to the Committee; and I believe the Judge Advocate General had made no declaration of his views. He went there only to represent the Government to the extent I have stated——

Mr. CAVENDISH BENTINCK: The First Commissioner of Works was never on the Committee.

Mr. GLADSTONE: I think that is so.

Mr. CAVENDISH BENTINCK: No, Sir.

Mr. GLADSTONE: Well, my right hon. Friend is here, and can answer the

House himself on that point. Then as to the next part of the Question—

> "Whether any grounds exist to sustain the allegations that the Judge Advocate General played the part of a partisan advocate on the Committee, and conducted himself so as to outrage any of the members thereof?"

In reply to that Question, I can only say that if the right hon. Member for Halifax wishes to raise any controversy upon this point, he is at liberty to do so. But I am convinced that the Judge Advocate General never had any intention to conduct himself, and that he is incapable of conducting himself, in the manner described in the Question. I may further say this of the Judge Advocate General—although his opinion on the subject is not my own, that he entered the Committee without any strong opinion on the Acts, and that the conclusions at which he arrived were the effect of the evidence that he heard. As to the next Question, whether Her Majesty's Government intend to test the truth of the charges, I may say that we have no intention of entering into any such investigation, for we are quite satisfied on the point; and I am sure that if there is any misapprehension in the mind of the right hon. Member for Halifax on the subject five minutes' conversation with the Judge Advocate General will set him completely right with regard to it. As to the last paragraph, I have to state that I have received no such representation from the right hon. Member for Halifax, and I am not aware that any such have been made.

## LOCAL TAXATION—LEGISLATION.

Mr. J. R. YORKE: I wish to ask the right hon. Gentleman at the head of the Government a Question of which I have not been able to give him private Notice—namely, Whether it is a fact, as reported in *The Times* of Thursday, that—

> "Mr. Duckham, M.P., has received a letter from the Prime Minister acknowledging the receipt of a memorial signed by 31 Liberal Members who voted for Mr. Grey's Amendment to Mr. Pell's Motion on local taxation, in which letter Mr. Gladstone expresses his regret that the present state of Business in the House of Commons renders it impossible to deal with the subject this Session;"

and, if such is the case, whether the House is to conclude that the right hon. Gentleman proposes to postpone indefinitely the production of a measure regarding which a Resolution has been passed by the House, in which the Government joined, declaring legislation to be most urgently required?

Mr. GLADSTONE: It is the fact, Sir, that I wrote a letter to my hon. Friend behind me, and he was at perfect liberty to communicate it to the Gentlemen who had signed the Memorial—although, having the honour of the acquaintance of my hon. Friend, and having relations with him of a more personal character than between two ordinary Members of the House, I put matter into that letter which I should not have done had it been intended for publication. But the substance of the letter is as the hon. Gentleman has imagined. It does not in the slightest degree follow that the Government intend to postpone indefinitely the proposal of a measure of that kind. On the contrary, they are fully sensible that the words embodied in the Resolution of the House are words that are strictly true; and they will endeavour, according to the means they possess, to act in the spirit of that declaration.

Mr. J. R. YORKE: I should like, Sir, to know whether it will not appear to ordinary minds that a measure so characterized and so urgently required, when that description received the assent of the Government, was not a measure which ought to receive precedence over any other Government Business this Session?

Mr. GLADSTONE: I cannot undertake to answer for what may appear to other minds, whether ordinary or otherwise. I should not draw the inference which the hon. Member does.

Mr. BRODRICK asked whether any other Government measure would be given precedence over the measure of Local Taxation Reform other than those mentioned in the Queen's Speech and the Parliamentary Oaths Act (1866) Amendment Bill.

Mr. GLADSTONE: I do not now speak of secondary measures, for no one can tell what measures may become necessary in connection with incidental wants and secondary wants. But, speaking of that class of measures which the Government will have to take into contemplation beforehand, I am not aware at the present moment of any such.

## PARLIAMENT — BUSINESS OF THE HOUSE — PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.

**Lord RANDOLPH CHURCHILL** asked, Whether the Prime Minister could give any indication of what place in the order of precedence the Parliamentary Elections (Corrupt and Illegal Practices) Bill would occupy?

**Mr. GLADSTONE**: That is a Bill already before the House, and I consider it to be embraced in the declaration made a few days ago, when I said that when we saw our way to conclude the debate on the second reading of the Parliamentary Oaths Act (1866) Amendment Bill, I should then endeavour to give the best indication I could in regard to the Tenants' Compensation Bill and any other subjects that are pending.

## PARLIAMENT — BUSINESS OF THE HOUSE—THE NAVY ESTIMATES.

**Mr. GORST** asked the First Lord of the Treasury, Whether he would now state which of the Government nights before Whitsuntide would be devoted to the discussion of the Navy Estimates?

**Mr. GLADSTONE**: Until I know when the debate on the second reading of the Parliamentary Oaths Act (1866) Amendment Bill is to end it is impossible for me to make any statement.

## PARLIAMENT — BUSINESS OF THE HOUSE — SOUTH AFRICA — THE TRANSVAAL — POLICY OF HER MAJESTY'S GOVERNMENT.

**Sir STAFFORD NORTHCOTE**: Before other matters are disposed of, I think we ought to have some decision as to the renewal of the Transvaal Debate.

**Mr. GLADSTONE**: The time at my disposal is a limited period, and the only choice open to the Government is how to dispose of a particular day. There was a sceptical tone manifested last night when I intimated my opinion that the termination of the debate ought to be approaching. Gentlemen suggest measure after measure, as if I had power to make days for them. I must, however, say in regard to what has passed that I regard the pledge to take the Navy Estimates as one having precedence over the debate on the Transvaal.

**Lord RANDOLPH CHURCHILL**: With regard to the Prime Minister's remarks as to the sceptical tone with which his remarks last night were met, I should like to ask whether it is not a fact that the noble Lord the Member for Flintshire (Lord Richard Grosvenor) had sent out the usual notice to the Members of the Liberal party stating that the division would take place on Thursday next?

**Lord RICHARD GROSVENOR**: I beg to inform the noble Lord that I have not sent out any such notice, or intimated that the division would be taken on any night.

## *ORDERS OF THE DAY.*

## SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

## LOCAL OPTION.—RESOLUTION.

**Sir WILFRID LAWSON** rose to call attention to the urgency of the demand for legislation giving effect to the Local Option Resolution already passed by this House, and to move a Resolution. The hon. Baronet said: Mr. Speaker, I beg to move, as an Amendment to the Motion which has just now been made, that you, Sir, do leave the Chair, the following words:—

> "That the best interests of the Nation urgently require some efficient measure of legislation by which, in accordance with the Resolution already passed and re-affirmed by this House, a legal power of restraining the issue or renewal of Licences for the Sale of Intoxicating Liquors may be placed in the hands of the persons most deeply interested and affected, namely, the inhabitants themselves."

In that wonderful speech of so much power and eloquence which the Prime Minister addressed to the House last night, he said, in reference to the difficulties of the past, that he did not mean to accuse anybody of anything, and I can say with truth that, in the observations which I am about to make upon my Amendment, I do not wish to accuse anybody of anything either. I wish merely to attack an evil system, which I believe is doing much harm to the people of this country. Perhaps exception may be taken to my attacking what I believe to be a great wrong and evil by means of an abstract Resolution; but I do not think the House is so much averse from abstract Resolutions now as it used to be at one time. We have had several abstract Resolutions this year; some of them have been accepted by the Government, and they were accepted in order that they might form a basis for practical legislation hereafter. I need do no more than allude to them; the House remembers what they were. I will only mention one that was moved by my hon. Friend who sits near me, the hon. Member for Burnley (Mr. Rylands), who moved a Resolution in favour of a considerable reduction in the Expenditure of the country, which he thought was too large for the real wants of the country. The Prime Minister, as we all remember, accepted that Resolution, and accepted it very properly as what he called a solemn pledge to a great effort to reduce Expenditure hereafter. In my humble opinion, the expenditure which I am attacking to-night is an expenditure which far more calls for attack than the Public Expenditure upon the Public Services. I think we spend something a little under £90,000,000 on the Public Service, and we get a good deal of return for our money; but look at the expenditure which I am now proposing some means of attacking by my Resolution. It is an expenditure of about £126,000,000 a-year, and that is an expenditure which not only does no good, but which inflicts most serious harm upon this nation. I think the House will not be altogether unsympathetic with me and with what I have stated as to the desirability of putting a check upon the vast expenditure which is laid out in this country upon intoxicating drinks; because when my right hon. Friend the Chancellor of the Exchequer made his Budget Statement in this House a short time ago, I was much pleased to observe that there was no part of his Statement which elicited so much applause from the House as that which pointed out that the Revenue from drink shows a considerable falling off. That statement was received with loud cheers—a fact which shows that the House, very properly, was delighted to hear that less money had been expended in that way than used to be so spent; and I know that the Government themselves, although, of course, they like the Revenue to keep in a good condition, are glad of that diminution; because at the close of the Winter Session, when the Queen's Speech was ready, there was in that Document itself a statement made that Her Most Gracious Majesty rejoiced greatly over the falling off. Putting all these things together, I am sure that the Government would be satisfied if the House, by accepting my Resolution to-night, should place in the hands of the Prime Minister a solemn pledge that it will support him in future action to put a stop to evils which we all deplore. The House has already declared in favour of the policy which I am advocating to-night. The House, as hon. Gentlemen will remember, has already passed a Resolution in the year 1880, and I cannot do better than read that Resolution now, so as to make the matter quite clear. It was as follows:—

> "That, inasmuch as the ancient and avowed object of Licensing the Sale of Intoxicating Liquors is to supply a supposed public want, without detriment to the public welfare, this House is of opinion that a legal power of restraining the issue or renewal of Licences should be placed in the hands of the persons most deeply interested and affected, namely, the inhabitants themselves, who are entitled to protection from the injurious consequences of the present system, by some efficient measure of local option."

Well, I was fortunate enough to carry that in 1880 by a majority of 26; but as nothing was done in the matter by way of legislation, I ventured to move substantially the same Resolution again the next year—at any rate, I moved a re-affirmation of the Resolution, and on that occasion I carried it by a majority of 42. Perhaps the House may be interested to know how that majority was composed, for the figures are, I think, rather striking. If you take the Scottish Representatives, you will find that I had a majority of about 8 to 1 of them, and I had also a very decided majority of Irish votes. Of the Welsh votes I had a majority of 10 to 1—there were only two Welsh Members who opposed me. If you look at the division of Parties on that occasion you will find that I had an immense majority of the Liberal Party, as well as a certain amount of support from the Conservative Party also; and here I may say, those who have carried on this agitation have all along said that we consider the movement to be one entirely above all Party movements. Well, a Resolution declaring that the people ought to have the power of protecting themselves from the intrusion of drinkshops, as I have said, has been carried and reaffirmed by this House, and we naturally look for legislation on the subject. I know perfectly well that the Government, during the last two or three years, have been most busily occupied with other things, many of them most pressing, and many of them totally unforeseen, and I am not here to-night to find fault with them, although I confess I think this matter of far more importance than some of the work on which they have been engaged. But I am not standing up here to blame them now. I only want to draw their attention to the importance of the Resolution for the future. Indeed, my Resolution to-night simply aims at no more and no less than to invest the Government with ample power in the matter. Somebody once said—"It is of no use having a plan before you unless you have a force behind you;" and I want to point out that in this matter there really is a great force of public opinion at the back of those who advocate this policy. I think hon. Members will agree that this demand for protection from the liquor traffic is a demand which comes absolutely from the people themselves. It has sprung from them. The agitation has gone on now for many years; but we have had very few leading politicians in it. We have had no great orators, as the Anti-Corn Law League had; we have had no princely subscriptions such as flowed in to that Body. For a long time we had the Press against us and the politicians against us. "Society," as it is called, did not take the least interest in our movement; and, above all, we had a great vested interest against us. I do not complain of that—of course, everybody fights for his life; but I say, in spite of all this, in spite of the want of support in great and high places, in spite of prejudice, in spite of having the Licensed Victualling interest against us—the position in which our cause now stands is perfectly marvellous, considering all the obstacles that we have had to encounter. I think hon. Gentlemen on this side of the House know perfectly well, when they go down to their constituents for re-election, that there is nothing in which they find their constituents take so much interest as some measure dealing with the liquor traffic; and I think that even my Conservative Friends on the other side must find that among a certain number of their Conservative supporters the question is gaining ground. I think my case is strong. In 1880 we had a General Election, and that General Election resulted in the return of a House of Commons which, on the first opportunity, voted in favour of the people against the vested rights of the publicans, and decided that the people ought to be allowed to protect themselves from the evils brought upon them. As I have said, the House of Commons has twice declared this; but I can show something still more in favour of it. What did the Prime Minister himself say, in 1880, in the course of the debate on the Resolution to which I have referred?

> "I earnestly hope that at some not very distant period it may be found practicable to deal with the Licensing Laws, and, in dealing with them, to include the reasonable and just application of the principle for which my hon. Friend contends."—(3 *Hansard*, [253] 364.)

Well, I say, with all these things in our favour, there never was a stronger case afforded as a ground for legislation. I have said the demand comes mainly from the working people, rather than from the upper classes; but it comes also from the educated, and it comes also from the great leaders of the Church of England, for they had a meeting only three days ago in Lambeth Palace, the Archbishop presiding, and passed this Resolution—

> "That the chief obstacle to the work of temperance reform continues to be, as it always has been, the nature and undue proportions of the temptations which are permitted to be placed in the way of the people—temptations which can only be removed or diminished by better legislation."

And in another Resolution they expressed a wish for a considerable reform in the licensing system altogether, but adding—

> "That such measure will be ineffectual if it stop short of a reform of the whole licensing system, and especially if it fail to give the people, who are the victims of the temptations, a right to control both the number and character of the licensed houses."

I quote these Resolutions to show that it is not only the poor and the lower classes who support me in this matter. The hon. Member for Oxford University

(Mr. J. G. Talbot) proposes his Amendment in a very encouraging form, for what does his Amendment say?

> "That whilst this House declines to approve any system which gives to the majority in any locality the power of prohibiting the sale of any article of ordinary consumption, the House will give a favourable consideration to any measure, introduced on the responsibility of Her Majesty's Government, with the object of checking the evils of intemperance."

Well, my hon. Friend is not generally ready to give his support to any measure brought in by Her Majesty's Government; and it shows the importance of this question when he, a worthy Representative of the Conservative Party, is able to give some support to "any measure with the object of checking the evils of intemperance." It is very encouraging also to find, from the terms of his Amendment, that he—

> "Declines to approve any system which gives to the majority in any locality the power of prohibiting the sale of any article of ordinary consumption;"

and, if that be so, he must also "decline to approve," *à fortiori*, of the minority having such a power, and as they have the power now, the Amendment of my hon. Friend goes against the whole licensing system root and branch, and I am glad to find that I have got so able and excellent a supporter. Then I come to the Amendment of my hon. Friend the Member for East Devon (Sir John Kennaway), which is in the following terms:—

> "That, in the opinion of this House, it is rather desirable to give effect to the recommendations of the Lords' Committee on Intemperance, and to strengthen the hands of the magistrates, than to place the licensing power entirely in the hands of a body elected by popular vote."

But I quite agree with him, I quite agree with the approval expressed of the Resolutions by the House of Lords' Committee. They passed 20 most excellent Resolutions; and I am as sorry as he is that very few of them—I am afraid none of them—have yet been carried out. We plead that every one of them is in favour of our case—that every one is intended not to increase, but to diminish, the facilities for the sale of drink. There is one most excellent remark in their Report—it is not in the form of a Resolution; but it is so very good that I am sure my hon. Friend will allow me to read it. This is what the Lords' Committee say about intemperance and the operation of the Liquor Laws; and I read it because I cannot recall anything better, more comprehensive, more true, or more touching than has been said or written on this question. This is what the Lords' Committee say:—

> "We do not wish to undervalue the force of these objections; but if the risks be considerable, so are the expected advantages. And when great communities, deeply sensible of the miseries caused by intemperance, witnesses of crime and pauperism which spring from it, conscious of contamination to which their younger citizens are exposed, watching with grave anxiety the growth of female imtemperance on a scale so vast, and at a rate of progression so rapid, as to constitute a new reproach and danger, believing that not only the morality of their citizens, but their commercial prosperity, is dependent on the diminution of these evils; seeing, also, that all that general legislation has been able to effect has been some improvement in public order, while it has been powerless to produce any perceptible decrease of intemperance, it would seem somewhat hard, when such communities are willing at their cost and hazard to grapple with the difficulty and undertake their own purification, that the Legislature should refuse to create for them the necessary machinery, or to entrust them with the necessary powers."

Now, that is one of the recommendations of the Lords' Committee which my hon. Friend wants to impress upon the House, and he and I are both at one upon that matter. But he says, at the conclusion of his Amendment, that he objects to have "the licensing power placed in the hands of a body elected by popular vote." Well, I do not express any opinion upon that at all—I never proposed anything of the sort. I am afraid I have not made my proposals clear to my hon. Friend; but I am sure he never can find any speech of mine which advocates the creation of a Board for controlling the issue of licences. That does not in the least apply to anything I have advocated; but in order to make clear what I do want I may state what I do not want. I say I have never advocated the creation of Boards. They may be very good things; but I do not advocate them, and I will tell you why. People talk of Boards as a great panacea; but in Scotland they have had Boards for generations. I believe the Municipal Bodies are elected by a popular constituency, and they elect the Board which controls the licensing. You, therefore, have popular election in Scotland; but what is the result? Does it satisfy Scotland and make it a sober country, and do away with the evils of the liquor traffic? Not a bit of it! Scotch Members, in a majority of 8 to 1, voted for me to give the people a veto even in the licences given by a popular Board; and at this moment there is a Bill which has been brought in by my hon. Friend the Member for Linlithgow (Mr. M'Lagan), an excellent Bill, a Bill after my own heart, which says that nobody, whether elected body or anyone else, shall force these drinks upon people who do not want to have them, and there has never been a Bill so honest and so popular in Scotland as that. All parties are supporting it—people who are favourable to Boards of all sorts. They do not give up their principles, but they say—"At all events, let us not force these drinks upon people against their will." We know that a Company or a Corporation has even less conscience than an individual; and I do not advocate the giving of the licensing power to the Municipalities. That may be a very good thing—I do not say it is not—but, in my humble opinion, these Municipalities have quite enough to do already; and it would be rather too much to add to their work this crowning labour of regulating the drink traffic, especially if, as might turn out to be the case, the members of Municipalities might turn out to possess public-houses themselves. Still, I know that all these plans are supported by numbers of excellent men throughout the country, and I do not wish to throw cold water upon any of them. They are all schemes of licensing reform and those who believe in licensing reform, are quite right in advocating them. But what I do say is that those schemes are not what the working men of England have looked for. They do not understand them — they ask for simpler things. Why should they not? It does seem extraordinary to them that the upper classes—the richer classes—should insist on thrusting those places upon them, whether they like them or not. They see what is written about this drink sale — they read that Sir William Gull called alcohol "the most destructive agent we have," and that the hon. Member for Berkshire (Mr. Walter) had said that alcohol is "the devil in solution." Mind, I do not say these strong things—I only quote them. They have heard repeatedly on countless platforms that the Prime Minister has said that drinking is bringing on this country the "accumulated evils of war, pestilence, and famine," and they have heard every Judge and magistrate say that drink is bringing the people to crime and want. They have heard Judge Dowse, who used to sit in this House—they have heard him say, not long since, that the measure of the degradation of a locality is the measure of alcohol that is consumed in it. They do not merely read all this, but they know that it is true from their own sad experience. They know what misery it brings into the homes of working people; and all they demand is that we, the rich and the powerful, shall not go on with a system by which we are able to force these shops on them whether they like them or not. They simply say—"Give us equal justice; give us the same power that a gentleman has." You know what that means. If anybody is going to set up a public-house near one of our houses we write off instantly to our friends on the Bench of Magistrates and say—"Dear Smith," or "Jones," or "Brown, whatever you do, be at the Licensing Sessions to-morrow, as there is actually a proposal to set up a public-house at my park gate," and they come down and rally in force to protect their brother magistrate. Let the working men protect themselves in the same way that we protect ourselves. I will read a passage from a speech delivered by the right hon. Member for Mid Kent (Sir William Hart Dyke), when a proposal was made before the magistrates that Circulars should be sent out to see whether the people wanted the licensed houses or not. There was a most tremendous stir made over this proposal, including a great meeting of the Licensed Victuallers and a large brewers' deputation to my right hon. Friend himself.

Sir WILLIAM HART DYKE: Not to me; I was not at home.

Sir WILFRID LAWSON: Oh, well, they should have gone to my right hon. Friend; but, in his absence, they went to someone else instead. Then they had a debate at Quarter Sessions about it, and my hon. Friend the Member for Oxford University (Mr. J. G. Talbot) made a speech, and my right hon. Friend the Member for Mid Kent also spoke, and he said—

"It had been urged that this proposal was not akin to Local Option; but he believed that the ultimate result would be to ascertain the requirements of a district, and he took it that the magistrates would act on the views of the majority and those consulted."

Then my right hon. Friend made a very enigmatical remark. He said—

"That would be Local Option clothed in a manner which the prevailing east wind would soon find out."

Now, I do not profess to know what that means; but if he speaks here later on he will probably be able to explain what the east wind has to do with it. I should have liked to read it all to the House, for nothing could be more instructive. [*Cries of* "Read, read!"] No, no; first of all because it is too long; and, secondly, because it is in such small print that I cannot make it out. I will give it to my hon. Friend to read afterwards. What they said was—"Let us keep it all in our own hands, and don't let these poor ignorant people have any say in the matter, or they will carry out Local Option, and Sir Wilfrid Lawson will get a triumph." Now, we do not want to interfere with the magistrates. I do not wish to take away the power which they possess as Justices in any locality where the inhabitants are satisfied that the licensing system should be put in operation. All I say is—"Leave things as they are if you choose, or alter them if you choose, but give us this principle whatever you do—let the licences be refused when the people don't want them." The people know that good landlords, where they have the control over districts, have in many cases swept away all drinkshops from a locality, and have greatly improved the people. I would say that if your opposition were—I will not say genuine, for I am sure it is that—but if it were sensible and rational, you ought to prevent these landlords from so acting. You ought to say—"Here are whole districts deprived of public-houses by the arbitrary step of one individual. We must take away this power, and provide that every place shall be properly supplied with drinkshops." But you do not do that. You have heard of Shaftesbury Park—a large district of working men's houses—and that one of the rules of the estate is that no drinkshop shall be established there. I went there one day —some years ago—at the opening of some new houses, and on the platform I found myself, to my great astonishment, for the first and only time in my life, sitting next to the late Lord Beaconsfield. What did he do? He got up and made a speech, and he said substantially—"You, who have started this scheme for building workmen's houses without drinkshops, have solved the problem of how to make the workmen's homes happy and comfortable." That was very strong evidence from the late Prime Minister; and I am sure that hon. Gentlemen will give it the credit it deserves. Everyone says that if you take away the drinkshops you add to the people's happiness. The Duke of Westminster has acted on the same principle. I heard not long since, in reference to the right hon. Member for North Lincolnshire (Mr. J. Lowther), that there was a village belonging to him in his county on which years ago his family had insisted that no drinkshop should exist; and I heard that it was one of the most comfortable, clean, happy, and pleasant places in the whole country. I asked him, was it true? He said it was. Did anybody complain? No; never. Then I heard a story of the hon. Member for Mid Lincolnshire (Mr. Chaplin), and it was mentioned at a meeting of Licensed Victuallers. They had heard that the hon. Member had done away with a public-house on his property, and they were alarmed. They said "a General Election is coming on," and they thought it a good time to write to him, saying—

"We understand you have done away with a public-house on your property. We hope this does not indicate any leaning to Sunday Closing or Local Option."

The hon. Member promptly replied, with thanks, somewhat to this effect—"I assure you, gentlemen, that I did away with it entirely for my own convenience, and I shall have much pleasure in voting against Local Option." That is the way the thing works. Every man is for protecting himself; but he will not give these poor people the protection that they ask for. The House understands that what I want is a popular veto, instead of a personal one. A personal veto is very good when it comes into operation; but in many places the landlord is not inclined to benefit the tenants to that extent. That was the meaning of my Resolution, which I moved in 1880. The Report of the Convocation of Canterbury, in 1869, said that there were within the Province of Canterbury upwards of 1,000 places in which there was neither public-house nor beershop; and that in consequence of the absence of those inducements to crime and pauperism the intelligence, morality, and comfort of the people were such as would have been anticipated by the friends of temperance; and then followed the recommendation which I embodied in my Resolution of 1880, recommending that the public should be allowed the same right of veto which private owners now have. I am afraid I have wearied the House; but I will explain what, in my humble opinion, should be done. It is of no use my bringing in a Bill—that will be admitted on all hands. I do not think it is of any use for any private Member to bring in a Bill dealing with such a subject so long as the hon. and learned Member for Bridport (Mr. Warton) is alive; and the only mode in which effect could be given to the principle which the House has already adopted is for the Government to bring in a Bill themselves, and, really, the matter is very simple; a Bill of almost a single clause would do. I am only an agitator; I do not profess to be a great legislator; but if my right hon. Friend the Prime Minister requires my assistance I will willingly give it to him for what it is worth. Now, there was a measure—I am not going to defend the measure—but there was a measure introduced, I believe, by the Liberal Government originally, and subsequently amended by the Conservative Government—a measure called the Borough Funds Act. That Act is not popular, I believe, in this country with many hon. Members. The object of it is to give the inhabitants, or the ratepayers, a power of veto over the proceedings of their representatives when they propose to spend money in a certain manner. Under that Act the inhabitants are allowed to take a vote, and to say whether a certain scheme should be carried out or not. I am not saying that it is a good policy; I am only mentioning the Borough Funds Act in order to show that there is no difficulty whatever in getting at the will of the people if you wish to do so, and the machinery is ready at your hands. There is a clause in that Act—Clause 4—which says—

> "No expense in promoting or opposing any Bill in Parliament shall be charged as aforesaid, unless such promotion or opposition shall have had the consent of the owners and ratepayers of that district, &c."

Hon. Members will be familiar with the provisions of the Act. It is a simple way of taking a poll, and if the people say "no," then this expenditure stops; and if they do not say "no," then it goes on. Now, that is all we propose in regard to the licensing of public-houses. We propose that the people shall say—"No; licensing ought not to go on," if they do not approve of it, and really I do not see any difficulty about the matter. My right hon. and learned Friend the Home Secretary put it quite right three or four weeks ago, when someone asked him a Question on this matter. The Home Secretary said it was a question which the Government had always held to be essentially a matter upon which the localities ought to judge for themselves. He added that "it was a question of areas." Now, that is the whole thing, and we are only asking to-night that the Government should define the area, and then the thing is done. My hon. and learned Friend the Attorney General would be able to draw a clause in ten minutes that would satisfy me and content the country. There is no difficulty about it. The Licensed Victuallers ought not to object to it; because here I have a suggestion from the Liverpool Licensed Victuallers themselves, in 1863, upon a Licensing Bill, when they stated that the magistrates ought not to grant new licences unless two-thirds of the owners or occupiers of premises within 100 yards approved. That is a good area, I dare say. But whether it is 100 yards or 500 yards, or an entire parish which the Home Secretary or Attorney General decides upon, it would have my cordial support. If it is to be a question of areas let the Government define the area, and, adopting that principle, bring in a Bill. The thing would then be done; and what a pleasant time hon. Members would have if the question were settled once for all, so far as debates in this House are concerned. There would be no more Petitions; they would be no longer bored with Memorials; there would be no more truculent teetotalers in the Lobby threatening those who come to perform their Constitutional duty;

and there would be no more speeches from me to weary this House. The difficulties of hon. Members would be succeeded by a holy calm, and the House would be able to devote its whole time, possibly, to the discussion of Irish questions. Seriously, I would ask my right hon. Friend what the Government have in hand of more importance than some measure such as this I ask them to undertake? I am not going to disparage anything the Government are doing. They are bringing in measures which I believe will be for the benefit of the country; but can they compare them with a measure which would do so much to stop the crime and pauperism and the misery which now exist among us? The Bankruptcy Bill is a very good measure in its way; but would it not be better to have a Bill which would prevent people from becoming bankrupts? The amendment of the Criminal Law is very good; but it would be better to prevent people from becoming criminals. A Bill for the reform of the Municipality of London is, no doubt, a very good thing; but there are only 3,000,000 of people in London; whereas a measure likely to diminish the consumption of drink would benefit 35,000,000 of people. Local taxation is a great question, which we are all desirous of seeing settled; but would it not be infinitely better to do away with the causes which render so much local taxation necessary? We all know that drunkenness is the main cause of the crime and misery of the country; and no Bill can equal in importance a measure for applying a remedy to an evil which produces more disastrous results than war, pestilence, and famine. I say distinctly that, in my opinion, for one person who is interested throughout the country in the excellent measures which the Government are bringing in, there are 10 who take a more keen interest in the reform I am advocating. And, surely, there never was a better opportunity for dealing with this matter; there never was a better opportunity for satisfying a great public demand. It is the very moment for it. We have postponed that great scheme which is looming in the distance for reforming the representation of the people; and we are going to introduce, next Session or the Session after, a Bill for the purpose of giving great extension of political power to the people. [An hon. MEMBER: No.] An hon. Member says "No." We will see about it; but I think the hon. Member will agree with me that we can trust the people at once to say whether there shall be public-houses or not, and I hope I shall have his valuable support. I will put another question to the hon. Member. I would ask him, is it well to teach the people of this country that they will never attain anything, however heartily they desire it, unless there is a flavour of violence and turbulence about their demands? Is it well, perpetually and persistently, to slight an earnest, and an honest, and a persistent demand, ever increasing, and always made in the most Constitutional manner? Is it wise to show that we, the upper classes, are quite indifferent to the wants and wishes of those below us, and that we care nothing for their misery and suffering so long as we can put a little money into the coffers of the Exchequer? I was sorry to see the other day that Lord Derby, in alluding to the question, said he thought it might stand over, because it was a matter which mainly affected the poor. That is the very reason, I think, why it ought to be brought on. I think that the poor in a matter of legislation should stand in the position of preference shareholders, and should have the first call on our attention. I remember in one of the beautiful speeches of my right hon. Friend the Member for Birmingham (Mr. John Bright) a fine passage in which he said—

> "In every country you find the nation in the cottage, and if the light of your legislation does not shine in there, your statesmanship is a failure, and your system is a mistake."

To-night I plead earnestly not for the great, the rich, and the powerful, but for the poor, the weak, the desolate, and the oppressed; and I ask this House—and I ask Her Majesty's Government—to place in their hands the power which they can use for no injury, but only for the elevation and purification of themselves and of their country. I believe I shall not plead in vain. The hon. Baronet concluded by moving the Resolution of which he had given Notice.

MR. CAINE: I rise to second the Motion which has been proposed by my hon. Friend the Member for Carlisle. Her Majesty's Speech, at the commencement of the Session, created a strong feeling of disappointment with the advocates of the temperance cause in the House, as we heard clause after clause read, and no mention whatever made of Local Option, although Resolutions in favour of Local Option have been twice carried by the House of Commons. It is a matter in which the working classes and the temperance reformers throughout the country are deeply interested and in earnest. My hon. Friend referred in his speech to truculent teetotalers haunting the Lobbies and pressing hon. Members upon this question. Only yesterday afternoon I attended one of the most remarkable Conferences upon the subject which it was ever my privilege to attend. It consisted of from 600 to 700 delegates from different parts of the country, who came together to urge the Government to take the question up and legislate upon it without delay. There were delegates from Caithness and Cornwall, from Galway and Hull, and from almost every part of the country. This is entirely a working man's question; and perhaps the most significant testimony of the strength of public opinion in favour of the measure we are advocating to-night is the remarkable instance of the unanimity which prevails among all religious communities in regard to it. Anyone who will take the trouble to look at the Petitions will be struck by the fact that not one of the religious communities in the United Kingdom, however obscure, has failed to memorialize this House in favour of Local Option. The new Archbishop of Canterbury made his first public appearance as Chairman of that Conference to which my hon. Friend has just referred at Lambeth Palace; and on the same day there was a large meeting of the Baptist Metropolitan Total Abstinence Society at the Tabernacle, at which a resolution was unanimously passed calling on the Government, without delay, to legislate upon the matter. But I think there is no test of public feeling like that which takes place at a General Election. My hon. Friend, I think, reminded the House that a similar Resolution was brought forward three days before the end of the previous Parliament. On that occasion there were only 134 Members in favour of the Resolution, while there were 248 against, or a majority of 114. Then came the General Election. Local Option was not made a test question; but the Election turned on different issues altogether. In spite of that, when the Resolution was proposed on the 18th of June, 1880, the opinion of the country found expression in 229 voting for the Resolution, and only 203 against it, or a majority of 26 in its favour. I wish to point out for a moment what expression of opinion it is that we get from the votes of hon. Members representing those constituencies, which are chiefly composed of the working classes of this country. On the 14th of June, 1881, 42 Representatives of Lancashire and Yorkshire voted for Local Option, and only 13 against. The majority included the great manufacturing towns of Manchester, Salford, Oldham, Bolton, Rochdale, Ashton, Stalybridge, Leeds, Birmingham, Glasgow, Bury, Belfast, Dundee, and almost every great centre of industry recorded its vote in favour of Local Option; and to-night, for the first time, the great commercial constituency of Liverpool will record its vote in favour of the same measure. On every occasion on which this question has been brought before the House two hon. Members have gained for themselves the united respect of both sides of the House. The hon. Members for Stoke-upon-Trent (Mr. Broadhurst) and for Morpeth (Mr. Burt), who represent the working classes of this country, have given their adhesion to the principle of Local Option. Last Session we fully recognized the difficulties and trials of the Government, and we were patient. The gracious reference in Her Majesty's Speech proroguing Parliament expressing satisfaction at the progress which temperance reforms had made in Parliament sent us to the country full of hope; but it was hope to be quenched at the commencement of the Session by the opening Speech, in which, to our bitter disappointment, not one word of reference to this burning question was to be found. We felt we had a right to expect, in a Session devoted to useful social measures, that we should have had a prominent, if not the first, place, and that the Queen's Speech would have contained some intimation from the Government of their intention to deal with a question which interests the public more deeply than any other. I do not for a moment under-estimate the value of the measures that found place in the Queen's Speech. The Bankruptcy Bill, the Patent Bill, the Court of Criminal Appeal Bill, the Compensation for

Tenants' Improvements Bill, and the great measure for the Municipal Government of London, are, no doubt, valuable measures. But I venture to say that the United Kingdom Alliance, who advocate this measure of Local Option, would be quite sure to get a larger meeting in favour of that question in the boroughs of Eye, Bridport, or Woodstock than the Government could hope to see in Glasgow, Liverpool, Manchester, or Birmingham in favour of any of the measures proposed in the Queen's Speech. A careful study of the utterances of Ministers on this question would lead me to think that all the Government is waiting for on Local Option is an assurance that the country is thoroughly with them, and that they will not have to undo anything after doing it, and repeat their unfortunate experience with Mr. Bruce's Bill. The Prime Minister said last night—

> "I should trust the people far more on questions where their own immediate interests are concerned, than on questions where the prepossessions of religion are concerned."

Now, I think if ever there was a question in which the immediate interests of the people were concerned it is this, and their demand for protection from the evils of the public-house is no "momentary judgment"—no "momentary opinion;" but slow, certain conviction, from 50 years' education, by the temperance reformers of the country. No one is better able to test public opinion than the Prime Minister himself. He often astonishes this House with his great knowledge of what is going on in the country. I ask him to-night, is he satisfied that the country is with him on the question of Local Option? If he is not, let him tell us so, and at the same time tell us what evidence will satisfy him, and I promise it shall be forthcoming in full measure, pressed down, and running over, before he has to prepare another Queen's Speech. Early this Session, on the 19th of February, the views of the Government on the Licensing Question were elicited by two Questions, one from the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross), and the other by my hon. Friend the Member for Carlisle (Sir Wilfrid Lawson), the one on Sunday Closing, and the other on the question of Local Option. The right hon. and learned Gentleman the Home Secretary said, in regard to Sunday Closing—

> "He did not wish the right hon. Gentleman to suppose that the Government objected to the general principle of piecemeal legislation on this subject. On the contrary, it was a question, no doubt, of areas, for the Government had always held that it was essentially a matter upon which localities ought to judge for themselves."—(3 *Hansard*, [276] 312.)

With regard to Local Option, the right hon. and learned Gentleman said—

> "The only answer I can give upon that subject is that when the Government bring forward measures with reference to Local Government, they propose to deal with the question of licensing as a question of Local Government."—(*Ibid.*)

He went on to explain, without going into details, that the Government intended to deal with the question of licensing both in the proposed Bill for London Municipality, and in any further extension of County Government. This, I think, is the most explicit declaration we have had from the Government on licensing reform; and if I understand it rightly, it means that the Government intend to refer the granting and renewing of public-house licences, in some way or other, to the new Municipality of London for the Metropolis, to County Boards presently for the area of their jurisdiction, and, as a natural sequence, to Town Councils for Municipal Boroughs. If this means nothing more than a change of licensing authorities to administer the bundle of antiquated incongruities which make up our present system of licensing, I warn the Home Secretary that he will find no finality there. I have a very wide-spread knowledge of the wishes of the working men of this country on this matter; and I can assure the Government that they, and the Temperance Party generally, will be satisfied with no settlement of this question on the basis of a new licensing authority, unless that authority is elected by the ratepayers *ad hoc*, and is invested with the fullest powers enabling the ratepayers to protect themselves to the utmost from having public-houses licensed in their midst against their declared wishes. I fully admit that this would mean a repeal of almost every Act on the Statute Book relating to the liquor trade, and the enactment of a great and comprehensive measure of licensing reform, dealing with the question in every respect, a measure that would be the leading Bill of a Session. I hope the day is not far distant when such a measure will be brought before the House; and I grant that, under existing circumstances, the Government may well be excused from facing such a comprehensive measure, with all the other reforms to which they stand pledged. But we can do with much less than that. Let the Government abandon their piecemeal legislation policy with regard to Sunday Closing. Let them give the hon. Member for South Shields (Mr. Stevenson) Government facilities for his Sunday Closing Bill; or, better still, take it out of his hands and press it through this Session. So long ago as June 25, 1880, the House sanctioned this Bill by a substantial majority. For the settlement, in the meantime, of Local Option let them bring in a short Bill carrying out the suggestion of my hon. Friend (Sir Wilfrid Lawson), and adapting the principle of the Borough Funds Act to the licensing authorities. As the Borough Funds Act provides for the ratepayers a complete and direct popular veto upon the action of Town Councils where they are about to incur responsibility with respect to Bills for public improvements, so the same ratepayers should have a direct popular veto on the action of magistrates when about to incur responsibility with respect to granting and renewing public-house licences. The operation of the Borough Funds Act is pretty well known to hon. Members representing boroughs in this House; but my hon. Friend did not quite explain its operation. He said that it was carried out in public meeting assembled; but anyone attending such a meeting can demand a poll, and polls have been demanded in two of the leading Municipalities of the country—namely, in Manchester in regard to the Thirlmere Scheme, and in Liverpool in regard to the Verney Scheme, both of which were connected with the supply of water. I believe that 38,000 owners and occupiers of property in Liverpool recorded their votes, and I happen to know what the cost was. Perhaps it is desirable that I should mention it to the House, because many people have objected to this test vote on account of the cost. In Liverpool, at an election in which 38,000 recorded their votes without difficulty, the cost was considerably under £1,000; so that the cost was very slight, and the disturbance was also slight. I think an election could easily be taken by voting papers left at the houses and afterwards collected. There was an election in the district of the Wandsworth Union the other day. I myself was returned as a member of the Board of Guardians. The population of the Union is 210,000, and the entire cost of taking the votes in this contested election only reached £283. It is said that we want to get rid of the strife of contested elections. But the strife is nothing; it was all conducted and concluded in the course of a single day, although the election extended over 60 square miles of property in London. At the present moment the ratepayers can protect themselves against being saddled with the cost of waterworks and gasworks, and they can protect themselves from every kind of nuisance except that of the public-house. I have confidence in the Prime Minister; the temperance reformers of this country, and the working classes of this country too, have confidence in the Prime Minister. Confidence! They have more than confidence—they have a passionate faith in him that nothing can shake. But they are now busy reminding themselves of his various promises on this question, which is of such vital importance to them—promises which have been dinned into their ears at thousands of public meetings since they were uttered. They think of his words delivered in this House in March, 1880—

> "It was stated just now that greater is the calamity and curse inflicted upon mankind by intemperance than by the three great curses—war, pestilence, and famine. I believe that that proposition is true—but for whom? Not for European civilized countries in general; certainly not for Italy, or Spain, or Portugal, or Greece. Of France and Germany it would be ludicrous to assert that the effects of intemperance are comparable with those of the three great historic curses. But it is true for us; and the fact that it is true for us is, I believe, the measure of our discredit and disgrace for the state of the law as it now exists."—(3 *Hansard*, [251] 475.)

Sir, this is no mere rhetoric. The Prime Minister weighs his words before he utters them, and stands by them; and if these words be true—and every Member of this House knows how true they are—the responsibility resting on the Prime Minister if he delays dealing with our national discredit and disgrace one hour longer than he can help is grave indeed. We who are in earnest in temperance reform cannot forget those grateful sentences in the Prime Minister's speech in the debate of June 18, 1880—

> "I earnestly hope that at some not very distant period it may be found practicable to deal with the Licensing Laws, and, in dealing with them, to include the reasonable and just application of the principle for which my hon. Friend (Sir Wilfrid Lawson) contends."—(3 *Hansard*, [253] 364.)

Later in the same important speech the right hon. Gentleman encouragingly said—

> "With regard to the question which my hon. Friend has brought before us, I will say these two things in conclusion. First of all, that I believe that one of the great subjects which will call for the attention of the Executive at as early a period as the heavy competing pressure of some other subjects will permit will be the reform of the Licensing Laws; and, secondly, I believe that that reform is so eminently called for, and is so favoured by the circumstances in which we now stand, that I regard it as an essential part of the work and mission of the present Parliament."—(*Ibid.* 365.)

I earnestly ask the Government to abolish the cruelty involved in the perpetuation of the untold miseries of the drink traffic in the many districts where the people are most desirous of setting aside the temptation. There are 169,284 licensed temptations throughout the Kingdom, in the granting of which licences the people of the Kingdom have had no voice, although, in many instances, they are against the express wishes of the very large majority in the districts in which they are granted. The widespread and untold misery, ignorance, vice, crime, insanity, pauperism, and premature death resulting from these temptations are, in the very words of the Prime Minister, indeed equal to the calamities which would be inflicted by "war, pestilence, and famine." I trust, Sir, that this will be the last time that the House will ever be called upon to divide upon the Resolution of my hon. Friend the Member for Carlisle; and that the first sentence of Her Majesty's gracious Speech next Session will contain a promise that the people of this country are at last to enjoy a legal power of restraining the issue and renewal of public-house licences. I have great pleasure in seconding the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the best interests of the Nation urgently require some efficient measure of legislation by which, in accordance with the Resolution already passed and re-affirmed by this House, a legal power of restraining the issue or renewal of Licences for the Sale of Intoxicating Liquors may be placed in the hands of the persons most deeply interested and affected, namely, the inhabitants themselves," —(*Sir Wilfrid Lawson,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. J. G. TALBOT, who had given Notice of the following Amendment:—

> "That whilst this House declines to approve any system which gives to the majority in any locality the power of prohibiting the sale of any article of ordinary consumption, the House will give a favourable consideration to any measure, introduced on the responsibility of Her Majesty's Government, with the object of checking the evils of intemperance,"

said, the hon. Baronet who moved the Resolution was a very agreeable antagonist, always in good humour, and often amusing; but to-night he did not regard him as an antagonist at all, for they both had the same object at heart, the decrease of intemperance, though the way in which the hon. Baronet approached the question seemed to him one of those hopeless roads which led to no conclusion. It would be a mere waste of time to enlarge on the evils of the liquor traffic and of intemperance. In his capacity of Chairman of Quarter Sessions he had often seen the evils arising from those causes. But, in his opinion, the proposals of the hon. Baronet would only aggravate the evils he sought to mitigate, or, at least, they would not meet those evils in any practical form. He had been endeavouring to discover what the hon. Baronet wanted; and for that purpose he had referred to a speech delivered by him in 1880, the first year of the present Parliament, expecting that he would there find out the real meaning of his Local Option Resolution. What the hon. Baronet had said that evening amounted to very little. It appeared that he wanted special Boards elected *ad hoc* by the ratepayers, and he instanced the case of Shaftesbury Park to show that the working classes had power to close public-houses. By all means let them close public-houses on their own property. But what the hon. Baronet proposed was that the working classes should close public-houses on somebody else's property. He did not think that House would ever sanction a principle so sweeping as that. It was very difficult to understand what the hon. Baronet really did mean. He did not, he said, want to take away the discretion of the magistrates. What, then, was the meaning of Local Option? He could not understand the hon. Baronet. In his speech in 1880 he said—

> "I do not propose a large and comprehensive measure effecting the reform of the licensing system. . . . All I propose is, that the people for whom these places are licensed—the inhabitants for whose benefit they are set up—shall be allowed to say whether they will have them or not."

Again—

> "I state, in the words of my Resolution, 'that it should be optional,' that those who want public-houses should be allowed to have them, or, if they did not want them that they should not have them; that they should be allowed to choose whether the magistrates, with whom I find no fault, should be allowed to use their discretion and exercise their power in those districts in which persons live who are interested in the matter, and do not desire to have them."—(3 *Hansard*, [253] 346-7.)

But that was inconsistent with what the hon. Baronet had said that night, for he now said he wished that discretion to be taken away from the magistrates. Then, in the speech to which he had already referred, the hon. Baronet went on to observe that he did not want, as some people said, to allow small communities to legislate for themselves. He did not know who the people were to whom the hon. Baronet referred; but, speaking for himself, he certainly thought that this was the object of the hon. Baronet. Then the hon. Baronet said further, in the same speech, that he proposed the magistrates should not exercise their power when the people expressed their wish that the power should not be exercised. Passing from those remarks of the hon. Baronet, which, no doubt, puzzled other Members of the House as well as himself, he would ask the hon. Baronet to consider how Local Option would work, say, in any urban population. Take the town of Birmingham, which had done a good deal in the way of municipal reform. He supposed that if Local Option were applied the town would be divided into wards, and each ward would decide for itself whether it would or would not have licensed houses. Supposing one ward decided against licensed houses. Were all the houses in that ward to be immediately closed? If so, what was to happen to the occupiers and the owners of these licensed houses? The Prime Minister, on the same occasion in 1880, said, most emphatically, that he would, if any measure of the kind were adopted, insist, as far as he could, upon due compensation being given to all vested interests. He said the publicans, although they might, as a class, be in disfavour, ought not to be dealt with in an exceptional manner, but that they were entitled to compensation for interference with vested interests just as much as any other class. Those words contained a sound principle, on which that House had always acted, and he hoped always would act. But the hon. Baronet did not say one word about compensation, and left them entirely in the dark on the subject. But suppose there was a ward in Birmingham where the people were not total abstainers and decided upon having licensed houses. What would be the condition of a ward so situated? Supposing there were a number of wards in which public-houses were established, and others in which they were not established, what would be the position of the town? In such a case the hon. Baronet would, by his Resolution, render its condition worse instead of better. He would ask the hon. Baronet and his friends whether they had considered how the measure would work in the event of a majority in a town or district being in favour of the absolute suppression of the liquor traffic? The hon. Baronet had said he was not a legislator; but he could not divest himself of his responsibility as a Member of that House, and he was bound to consider what would be the practical working of his proposal. Reference had been made to the Committee of the House of Lords, which, in 1879, considered the subject of intemperance. That Committee reported unfavourably on the Permissive Bill; and the hon. Baronet had frankly admitted in 1880 that his Resolution on Local Option did contain the principle of what he used to call the Permissive Bill. He said, on June 18, 1880"—

> "I will not deceive the House; I believe that the Resolution does contain the principle of what I used to call the Permissive Bill, and that is, that the licensing of public-

houses should only be permitted in places where the inhabitants of the districts desire the existence of licensed houses in their midst for the sale of intoxicating drinks."—(*Ibid*, [253] 351.)

The Committee had said, with regard to the Bill, that it seemed to be—

> "Neither consistent nor reasonable that the Legislature should forbid the sale of any article of diet, of which the manufacture, importation, or possession was left perfectly free."

There could be no doubt, said the Committee, that the great majority of those who purchased and consumed intoxicating liquors were not guilty of intoxication, nor were the places where intoxicating drinks were consumed by any means so numerous as to call for their suppression on that ground alone. They saw no reason why the purchase and the moderate use of liquor should be prevented because some persons indulged to excess; and they did not think it right that the ratepayers should be able to prohibit the trade of a publican being carried on in any district. They said, also, that while they considered the measure unsound in principle, they believed that the principle, if put in practice, would prove either inoperative or mischievous. It would be inoperative in all places immediately adjoining others where the Act had not been adopted, and it would prove mischievous where such escape was impossible by leading to the secret sale and disposal of liquor, and by stirring up agitation and strife when the time arrived for the ratepayers to decide on the adoption or rejection of the Act. Was it not certain that in places where the Act had been adopted there would be continual strife between the temperance advocates and the dispossessed publicans? The publicans who had been dispossessed of their property, and what they believed to be its rational and legitimate enjoyment, would be certain, in the intervals of each triennial period, to agitate the community for the reversal of its decision. Had the hon. Baronet faced these practical difficulties? The hon. Baronet had been carried to victory by the exciting breeze of popular applause and the support of many distinguished ministers of religion; but he did not believe that either he or his friends had faced the practical difficulties, or the mode in which they proposed to deal with this great question. By the Amendment which he had drawn up, he asked the House to give favourable consideration to any measure introduced by the responsible Government to check the evils of intemperance. He did not yield to the hon. Baronet in his desire to check the evils of intemperance; but he held that a subject of this kind could only be properly dealt with by the Executive Government. The rumour that had reached him that the Government would support the Resolution of the hon. Baronet would, he hoped, be falsified. To accept that Resolution would be to deal in a most inadequate manner with such a subject as this. If the Government were convinced of the evils of intemperance, let them have the courage of their convictions, and not be content with giving a vote which cost them nothing, and which, perhaps, was useful to them; but let them give some hope that in the near future they would give this subject their most serious attention. He (Mr. Talbot) had been accused in his own county of inducing his brother magistrates to take a step in favour of Local Option, and he had been called a supporter of Local Option in disguise. The fact was that he only wanted his brother magistrates to have more information to aid them in doing their duty. He was again on the unpopular side; but he was not standing up to please a constituency. Few Members could say, as he could, that he had not a single publican in his constituency; and he fancied that the majority of his constituency would be in favour of a stringent measure of temperance reform. He asked the House to consider the matter on a simple, sound, and practical basis, to put aside any mere phrases which had so often deluded mankind, and to face the real difficulty. The Resolution of the hon. Baronet really obscured the difficulties to be met. He was aware that his own Amendment could not be moved; but if the Resolution of the hon. Baronet became the substantive Motion, which he did not desire, he should have the right to move his Amendment. There was, however, another Amendment in the name of the hon. Baronet the Member for East Devon (Sir John Kennaway), and he was quite ready to take that in lieu of his own. He entirely agreed with the words of that Amendment as to the desirability of strengthening the hands of the magistrates rather than placing the licensing power in the hands of a body elected by popular vote. He earnestly believed that leaving the matter to a popular vote would be the worst way of dealing with it. It would not only tend to promote popular commotion, but it might lead to results exactly the opposite to those desired. In places where the principle of Local Option was not put in force it would leave matters as they are, so that the cause of temperance would not be advanced unless the majority of the people were willing to put the Act in force. In some places, therefore, the drink traffic might be more firmly rooted than it was at present.

Sir WILLIAM HARCOURT: The House is so familiar, and has been for many years, with the arguments upon this question, that I have not thought it wrong to intervene at so early a moment in stating briefly to the House the view which Her Majesty's Government take of the matter. I think my hon. Friend (Sir Wilfrid Lawson) must be satisfied with the manner in which his Motion has been met from the Benches opposite. Some years ago, one would hardly have dreamed that a Gentleman speaking from the Front Opposition Bench, and a Gentleman highly distinguished and respected in the Conservative ranks, would have thought that he was taking the unpopular side in opposing the Motion of my hon. Friend the Member for Carlisle. I think that that is a fair measure of the progress which the question of temperance reform has made in this country. That is a thing which no man, I think, who has observed political events can have failed to remark. It is not necessary for me to inform my hon. Friend that I think with him in reference to the evils of drink or the advantages of temperance; and, as the right hon. Gentleman opposite has said, there is no need of indulging in rhetoric on that subject. No man, certainly, can fill the Office which I have the honour to hold without being made painfully aware that the most fruitful source of poverty and crime is drink. Again, we are all agreed that this is a matter that ought to be dealt with, and ought to be dealt with without delay. That is a matter on which there will be found no difference of opinion on this side of the House, and certainly there is a very large concurrence of opinion, I believe, even on the other side of the House on this point. My hon. Friend the Member for Carlisle referred to a brief answer I gave to a Question which he asked me. I said then, what I adhere to now, that the Government has always regarded this as a question of local self-government; and when I say that the Government thought that this was a question that ought to be dealt with without delay, I have said the same thing that the Government have said on the subject of local self-government itself. It is one of the most important questions, and one which they are bound to deal with. My hon. Friend opposite (Mr. J. G. Talbot) has referred to certain passages in the Report of the Committee of the House of Lords. Now, with great respect for the authors of that Report, there are some passages in it with which I do not at all agree. The argument in that Report against the principle of Local Option is, in effect, that we could not be permitted to deal on that principle with a trade in ordinary articles of consumption. The argument seems to be, that every man has a right to sell, as he has a right to manufacture, and that every man has a right on his own property to have as many public-houses as he pleases—that, in point of fact, the dealing in this commodity is like the dealing with any other commodity, and that it ought not to be dealt with in any different way. I cannot tell whether this ever was so or not. I say it is not so now; and, therefore, the whole argument of the House of Lords falls to the ground. You do not at present treat it as a trade in articles of ordinary consumption; you do not allow any man to have as many public-houses as he pleases; you put him on altogether a different footing; and, therefore, it is fallacious to argue, as the hon. Gentleman did, that a landlord can permit public-houses on his own estate because he is dealing with his own property, but that he cannot on other people's estates because they are not his property. The whole Licensing Question is dealing with other people's property and not with your own. My hon. Friend the Member for Carlisle said very truly that it would be an astonishing thing to find an owner of property saying that no shops for the sale of articles of ordinary consumption should be opened on his estate; but a landowner does not like to have public-houses or beer-houses about him, because they harbour bad characters, and sometimes even poachers, and produce other consequences; and, if he can, he gets rid of them. And why are you to forbid the artizan, who has sons and daughters, the same right of protecting his house and family? Therefore, I say that the question is not to be argued from that point of view which is stated in the passage read by my hon. Friend opposite from the Report of the Committee of the House of Lords. The real truth is, that the whole Licensing Question proceeds upon the assumption that public-houses offer a dangerous and, to a certain extent, a mischievous temptation to the population, unless they are properly guarded and properly restrained. Otherwise, you would have no Licensing Laws at all. In the case of gambling-houses, you do not prevent men from playing cards in their own houses; you do not prevent men from playing dice or betting in their own houses; but you say that the public temptation to gambling or betting, by opening public places for carrying on those pursuits, is an evil to the community, and you shut these places up altogether. Well, when you have dealt with public-houses you have dealt upon the same principle, though not in the same degree, and you have not allowed that public-houses should be dealt with, in the words of the Amendment of the hon. Member opposite, as if it were an ordinary dealing in articles of ordinary consumption. You have said that there shall be some restraint somewhere. You have adopted the local principle, because licensing is local now. You have not endeavoured to lay down a rule in the Statute Book that there should be so many public-houses to so many thousands of the public; you know you could not do this, because no Statute could determine what each locality wanted. Therefore, so far as the first word of my hon. Friend's proposal goes, you have the "local." Of Local Option you have "local" already; but you have not "option." You have got the local principle established; you have conferred upon a certain local authority the right to say whether there shall be many public-houses or whether there shall be few—indeed, I venture to say that it may be construed as the law whether there shall be any—in the locality over which they have jurisdiction, because the law is that every licence is annual, and may be refused any year. You have, therefore, a local authority with absolute power to deal with this article of ordinary consumption, and the Licensing Magistrates have a control over the right of dealing with it, as great as that of the proprietors over their own estate, if they chose to exercise it. Well, then, you have got the local authority. The question is, is this a question of local interest? If it is a question of the highest importance to the community, have you deposited that power in the best possible machinery for exercising it? That is really the practical question. I have never said, in this House or out of it, a word in disparagement of the magistrates of this country. No man who occupies the position I do can fail to know every day of his life the invaluable services they render to society; and as regards the administration of this Licensing Law, I have not the smallest doubt that the magistrates do their best. But if I am asked whether, in determining a question of this kind, the magistrates are the best possible body to judge of what the community want or what is best for them, I must answer that I do not think so at all; and I entirely differ, in consequence, from the Amendment of the hon. Member for East Devon (Sir John Kennaway). I traverse that Amendment in every word. I can give rather a curious illustration of my meaning. I daresay when I tell my story more than one hon. Gentleman opposite will recognize the county; but I will not say which it is. The respected magistrates of a county, not 100 miles from London, came to see me as a deputation at the Home Office. They said—"Our county is suffering terribly from the evils of drink. We have got too many public-houses. The whole system is bad." And they described in the most graphic manner what was the condition of the unfortunate locality. I listened with great attention to what they said, and when they had finished their remarks I said—"Gentlemen, the only thing that surprises me is that it should be you who come to me in these circumstances. Why, who put these public-houses there? Who licensed them? If you have too many public-houses, why do you license so many? Why don't you refuse any more, and why not give instructions to your police, which you know, if carried out strictly, would diminish one-half of the evil?" I am speaking in the presence of some of those hon. Gentlemen, and I think by the smiles I see that they recognize the county. And when I had concluded, the magistrates of that county, who are not only a very enlightened but a very candid body, said to me—"All you say is perfectly true; but we don't like to incur the odium of putting down the public-houses." I could not help smiling, and I said—"And therefore you come to Her Majesty's Government and ask them to incur the odium which you are afraid to incur." This incident shows why, in my opinion, the magistrates are not the fittest body to exercise the licensing power. They do not think they have behind them that public opinion which would sustain them in carrying out the measures which they might desire. If they felt they were representative of the community, if they felt they were elected to express the opinion of the community on this subject, they would have the courage which, on the occasion I have just referred to, was wanting. They would have known that the community desired to restrict the number of public-houses, and they would have used the power they had in their hands. Therefore, Sir, I say that, it being established already that the licensed trade is to be a restricted trade —that is, a restriction which ought to be carried out in the locality—the only question is, who is to carry it out? I have no hesitation myself in saying that, in my opinion, it ought to be carried out by a body representative of the sentiments of the community. Then, if that is so, the whole question is solved. My hon. Friend the Member for Carlisle, who spoke with great moderation on this subject, did not tell quite the same story as the hon. Member for Scarborough (Mr. Caine), who seconded the Motion. The hon. Member for Scarborough told the Government a great many things they ought not to do. He said "we must have an authority elected by the ratepayers *ad hoc*." Perhaps he will allow us, until we introduce our plan, to reserve our judgment on that subject. But the principle I am endeavouring to state is this. This is a matter which concerns the interest of the community more than any other. If it were a question of health, if it were a question of gas, a question of water, or a question of police, you give the authority power to deal with it. You give it to the community, in the boroughs at all events; and I hope before long you will give it in the counties, to the persons who represent the community. Why should you treat this question, which touches not only the health but the morals of the people in the highest degree, as an exception to that principle? My hon. Friend has said that it is a question of areas. Why, so it is. If you make your area too large the operation of the principle would be unjust, because then you might have a certain community imposing on a portion of the community that which it did not desire. And I cannot accept the vehement repudiation of piecemeal legislation by the hon. Member for Scarborough. I think he is a little ungrateful in regard to piecemeal legislation. [Mr. Caine: In regard to Sunday Closing.] Ah; it is exactly in regard to Sunday Closing that I say he is ungrateful. What has he got by this piecemeal legislation? He has got Sunday Closing in Ireland, in Wales, and in Scotland long ago; and the Government have expressed their desire, in regard to places where opinion has shown itself to be overwhelmingly in favour of the principle, even in England, to support proposals for Sunday Closing. If my hon. Friend had said—"We will have no piecemeal legislation on the subject of Sunday Closing," he would have had to wait a long time for what has already been obtained. I should recommend him to be patient, and to be glad of the solid progress which has been made. This question has made progress, not only in England, Ireland, Scotland, and Wales, but even among our countrymen beyond the seas. In Australia—a country certainly free enough—where we all supposed in former days that the hardy miners and the labourers, who were in receipt of great wages, were addicted—I will not say to excess—but, at all events, to indulgence in drink, the people have been sensible of the evil. Both in New South Wales and in Victoria have been passed Licensing Acts which provide for absolute Sunday Closing, and both of which contain Local Option too. In Sydney they have passed Acts containing a Local Option

Clause, and I am watching the progress of that experiment with the greatest interest. I am told that the Sunday Closing is giving great satisfaction; but the operation of the Local Option provisions is comparatively recent, and I have not lately had information on that subject. I think we must feel—and that even those who will not vote to-night for the Resolution of my hon. Friend must feel—that in principle, so far as I have stated it, the whole question is a foregone conclusion. Wherever you go in England you find that the question is making progress. You find people sensible of the enormous evils which have to be encountered, and sensible of the urgent necessity of dealing with them; and, in my opinion, no method of dealing with them can be so effectual and appropriate as that of putting the remedy into the hands of the people themselves. But, Sir, again I must be careful to explain what I mean. I do not accept the statement of my hon. Friend the Member for Scarborough; and I do not think the opinion of the people is always necessarily expressed by a direct *plébiscite ad hoc.* It seems to me that if you are to respect the principle of local self-government you ought to have only people who are calmly chosen and trusted by the community with the protection of their interests. You ought not to have this question and that question raised, and a hasty decision taken upon it. The far wiser course to adopt would be to confide that which is of the highest importance to the community to persons who are trusted by and chosen by the community to protect and look after their interests. That is the view we have always taken of the general principle of local self-government; and, if that is the proper view, I do not see why this question should be an exception in dealing with all matters which deeply interest the community, it being a matter which interests the community more than any other. Well, then, Sir, I come to look at the Resolution and the Amendments. As regards the Amendment of the hon. Member (Mr. J. G. Talbot), that, of course, cannot in form be moved. I cannot agree with the hon. Member when he says that he—

> "Declines to approve any system which gives to the majority in any locality the power of prohibiting the sale of any article of ordinary consumption."

By way of criticizing this Amendment, let me put the word "magistrates" in the place of "majority in any locality." This would be equally applicable, but it would condemn the existing system. Then, why should the magistrates have power to prohibit any sale of an article of ordinary consumption? ["No!"] I say that they have absolute power to do so. Then I come to the next Amendment. The hon. Member for East Devon (Sir John Kennaway) desires to give effect to the recommendations of the Lords' Committee on Intemperance. I have already said it seems to me that the Report of the Committee of the House of Lords, so far, at all events, as the portion referred to is concerned, is founded upon an entire fallacy, and that every argument that should apply to giving the majority the right of dealing with these questions would equally apply to magistrates. Then the hon. Member wishes to strengthen the hands of the magistrates; but I do not know how that can be done. I do not believe you can strengthen the hands of the licensing authority, except by giving them the influence of the popular opinion behind them. That you can only give to the body to whom the hon. Member proposes to refuse it—to the body elected by the popular vote; and, therefore, my view—and I am expressing on this matter the views of the Government—is the exact converse of that expressed in the Amendment of the hon. Member for East Devon. I do not wish to detain the House any longer on this subject. I shall vote in favour of the Motion of my hon. Friend the Member for Carlisle. I am of opinion that—

> "The best interests of the Nation urgently require some efficient measure of legislation by which, in accordance with the Resolution already passed and re-affirmed by this House, a legal power of restraining the issue or renewal of Licences for the Sale of Intoxicating Liquors may be placed in the hands of the persons most deeply interested and affected, namely, the inhabitants themselves."

I wish to say distinctly, that in accepting this Resolution I do not accept it in the narrow sense of saying that it is to be taken on a *plébiscite ad hoc,* as the hon. Member for Scarborough said; but I accept it in its principle that this authority and this power ought to be placed in the hands of persons who are interested in it. I am reminded by my right hon. Friend (Mr. Gladstone) that

I ought to say I am speaking on behalf of the Government as a whole as well as my own personal opinion. We shall vote for giving this power into the hands of the persons who are interested in it—that is to say, the inhabitants of the localities, reserving to ourselves, of course, the right to determine how the opinion shall be ascertained.

Sir JOHN KENNAWAY, who had the following Amendment on the Paper, namely—

> "That, in the opinion of this House, it is rather desirable to give effect to the recommendations of the Lords Committee on Intemperance, and to strengthen the hands of the magistrates, than to place the licensing power entirely in the hands of a body elected by popular vote,"

said, the proposal of the hon. Baronet the Member for Carlisle was that the existing licensing authority should be done away with altogether, and now they had an announcement that the Government themselves meant to vote for the Resolution, but that the Resolution in their minds meant a very different thing to what it meant in the mind of the hon. Baronet, for to the Government it meant simply the substitution of one licensing authority for another. His proposal was that they should try and amend the licensing authority as it existed at present, and which, it was his contention, had acted well and for the interests of the country. The time had come when they should not be content with these vague Resolutions, and it was to be observed that they were very little further advanced after hearing the right hon. and learned Gentleman the Home Secretary than they were before. His hon. Friend (Mr. J. G. Talbot) and himself, by the Amendments which they had put on the Paper, desired to show their sense of the great urgency of the question, and their desire to grapple with it in any practical way in which it was capable of being legislated upon. They were all agreed that there must be legislation of some character; and he was satisfied that the hon. Baronet was right in saying that the country was agreed upon this question, if not impatient, and that it did call upon Parliament in some way to deal with it. In the face of this strong feeling it was most important that they should be cautious in guiding it into the right channel, and they should not turn it into a channel in which full scope could be given to the proposal of the Resolution, which he was sure would lead to a revulsion of feeling and to more harm than good being done. He admitted that the Local Option Resolution had served the good purpose of putting on record in a way that had never been done before the desire for temperance in the country, and it had tended to unite the various classes of temperance reformers, and the result had been that the House had placed on record a strong feeling in favour of licensing reform. But he was at a loss to ascertain what the real practical solution of the question was to be from the Resolution of the hon. Baronet—in fact, the chief reason why the Resolution was so well supported was because of its indefiniteness. But if it was indefinite to them it was not indefinite to the great body of supporters of the hon. Baronet, for they regarded it, and put it frankly before Parliament, as a Motion for the suppression of the liquor traffic. The hon. Baronet had kept that out of view up to the present; but to-day he had let the cat out of the bag by his reference to the Scotch Bill which had been introduced by the hon. Member for Linlithgow (Mr. M'Lagan). That Bill provided that one-tenth of the population could demand a poll of the householders, and the result was that when the poll was taken the decision of the householders was to be final, and there was to be nothing sold for all time in that particular place. If the hon. Baronet had been straightforward he would have put that proposal into his Resolution; but what he did was to ask the House to assent to a proposition which would lead to it. The magistrates were responsible to God, their consciences, and the public opinion of the district; they had acted in view of that responsibility, and had endeavoured to discharge their duty to the best of their power. It was said that they were not to force licences on an unwilling neighbourhood. But was a two-thirds majority to have the power of declaring a neighbourhood unwilling? The Home Secretary had spoken of the power of the magistrates to shut up all public-houses. The whole country, however, had been taken by surprise by the decision in the Over Darwen case. In his own county the magistrates, acting upon that decision, had been taking a survey of the public-houses in their districts to see what were necessary and what were not. But was it the licensing authority that was to blame for the evils complained of, or Parliament, which had not supported the licensing authority? Who was responsible for the grocers' licence? It was the right hon. Gentleman (Mr. Gladstone); and many of the hon. Baronet's supporters said that greater harm had been done by that licence than by anything else. The Lords' Committee reported that as regarded fresh licences there did not seem any reason to suppose that an elected Board would do their duty more faithfully than the Justices, and that a Local Licensing Board would be more accessible to local influences, and would not be so impartial. There was no doubt that the question of Local Option suited the temper of the country; but, admitting that the country was prepared for a change, they must consider carefully what that change should be. They had to consider that the traffic was a lawful one; and, secondly, that the minority had some rights in this matter. These publicans had been entrusted with certain responsibilities, and they had a right to be respected. They had invested their capital in the trade on the faith of the State, and if they were to be done away with they ought to be given compensation. But he did not see how compensation could be obtained. What the House ought to do was to try and diminish the temptations to drink, and to prevent opportunities from being multiplied needlessly and gratuitously for the sale of drink. He did not think that a body elected by the ratepayers ought to be entrusted with an exclusive supervision over public-houses. He should prefer to see the representatives of the ratepayers associated with the magistrates, who would then be supported by the public with satisfactory results. With regard to total prohibition, they would do well to consider the opinions of the Bishop of Rochester, who was a strong advocate of temperance. The Bishop last year went to America, and he said that in the City of Kansas, which was one-half in one State and one-half in another, more liquor-shops, and more ostentatiously placed liquor-shops, were to be found in that part of the city where the liquor traffic was prohibited than in the other part of the city where the trade was not so interfered with. Where the trade was prohibited there was a total disregard of the law; and when the people were not with the law, what benefit could they expect from it? To give an appeal, perhaps, to the Recorder instead of to the Quarter Sessions would be an improvement; and an improvement might be effected in the regulations in regard to the structural arrangements of public-houses, the endorsement and transfer of licences, and the hours during which public-houses should be open. Such improved regulations would result in great benefit to the community; and he believed those publicans who wished to carry on a respectable trade would give the House their support in passing them —they needed not to trouble themselves about those who wished to do otherwise —and the result of the regulations would be that many of those who did not carry on their trade respectably would lose their licences. This was a result which none of them would regret. His great desire was that this question should be kept out of the sphere of Party politics, and that Liberals and Conservatives should unite in seeing what could be done, consistent with common sense and justice and equity, to deal with an evil which was of great magnitude, and to make the people not only free, but sober.

Mr. THEODORE FRY: Sir, I warmly support the proposal for legislation on the subject before the House, and I cannot but think that the speeches of the right hon. Gentleman the Secretary of State for the Home Department, and, in a somewhat less extent, that of the hon. Member for the University of Oxford (Mr. J. G. Talbot), mark a great rise in the tide of temperance opinion in the country; and I trust that the introduction of a measure by the Government will show the fact that high water line has been reached. This spread of public opinion is made still more evident by the statement of the right hon. Gentleman the Chancellor of the Exchequer, that the Revenue of the country has declined in the last 10 years to the extent of £5,000,000. The Government, in my opinion, hardly understand the intensity of the desire that prevails in the country for the adoption of the views of the hon. Baronet the Member for Carlisle. I am, however, informed—and it is a remarkable fact—that more public meetings have been held in the country to promote the various branches of the temperance movement than have been held in regard to all other social subjects put together. I am desirous to add my testimony to the feeling which exists in reference to this matter in the county of Durham, from which I have the honour to have a seat in this House. That county is represented in this House by 13 Members, and of them no less than 12 are pledged to support any good measure of temperance reform, including Local Option and the closing of public-houses on Sundays. Although Her Majesty's Government have given a general assent to the Motion before the House, I wish to press upon them the importance of making the question their own. No one knows, or can know, better than the Prime Minister, how almost impossible it is for a private Member to get a Bill through the House. Even if he is fortunate enough in securing a second reading, his Bill is certain to be blocked. I would venture to urge upon the Government the fact that a very large number of their supporters are intensely anxious for a reform of the Licensing Laws; and that among them are a large proportion of the working classes, who consider this question more important than many of the other questions which are now before the House. I am afraid that, if this Government does not grapple with the question, the fact of their not doing so will have a bad effect among their supporters; and it must not be forgotten that those in the constituencies who are in favour of the Motion which has been brought forward by my hon. Friend the Member for Carlisle embrace the most thoughtful and religious portion of the community. I am aware that people cannot be made sober by Act of Parliament; but legislation may do a great deal in the direction of removing temptation out of the way of those who might otherwise fall into habits of intemperance. In the eloquent speech which the right hon. Gentleman the Prime Minister addressed to the House last night, he alluded to the dfficulties which must sometimes beset the Liberal Party in its onward march; and I am afraid that the continued refusal of the Government to make the temperance question one with which it proposes to deal may be amongst those. Many arguments could be adduced in favour of the Motion which has been made by my hon. Friend the Member for Carlisle; but I only wish to impress upon Her Majesty's Government the fact that the country looks to it at a very early date, either in a Local Government Bill or in some other way, to do that which lies in its power to reduce the terrible evils of intemperance.

Mr. DALY said, that he attached very little importance to meetings held at Lambeth Palace on this question, because the upper classes, the educated classes, the Bishops, and the clergy were but little connected with the question before the House, for they would not suffer at all from the deprivation which the hon. Baronet the Member for Carlisle sought to inflict upon the lower classes by the system of Local Option. No one would ever expect to see members of the clergy—say, for instance, the Bishop of London, or any of the educated classes enjoying themselves in a public-house; but that was a question which seriously affected the working classes. He objected to the hon. Baronet's (Sir Wilfrid Lawson's) definition of the working classes, and doubted that he was so largely supported by them as he had assumed. A large number of those termed the working classes were not occupiers of houses, and were not rated to the poor; neither were they voters, and, therefore, they would not have any part in the popular veto alluded to by the hon. Baronet; and he (Mr. Daly) held that the deprivation which the hon. Baronet wished to inflict upon that class of the community by his Resolution, whenever it was carried into effect, would press very heavily upon them. That class the hon. Baronet had not taken sufficient account of. The poorer classes had no place where they could procure refreshments or recreation except public-houses; and now the hon. Baronet and his Friends wished to close the public-houses against the poor man, who had nowhere else to go. The principle of Local Option would be nothing less than an intolerable tyranny to the minority; and it was so opposed to fairness and common sense that he felt sure its application would never be sanctioned by the House if it ever came definitely before them in the shape of a Bill. As to the alleged unnecessary number of public-houses, it was well known that the number of public-houses depended upon the custom they received, and if the custom was not sufficient they would soon close. It was, in fact, a simple question of supply and demand; and there was nothing exceptional in that respect in the liquor trade, for it was at present simply settled by that law, as all other trades were. Another reason why he strongly opposed the Resolution was that it would be even more unfair, tyrannical, and offensive to the people of Ireland than to the people of England, through the difference in the constitution of the cities and towns. He felt certain that the Temperance Party would have promoted the cause they had at heart much more effectually by establishing in the large cities and towns reading-rooms easy of access, enrolling supporters in the Blue Ribbonhood, providing interesting lectures and light refreshment, such as tea and coffee, and affording the means for innocent games and amusements, than by all the money they had spent, the exertions they had made, the vast mass of literature they had published, and the course they had taken generally in regard to this question. He yielded to no man in the desire to promote temperance; but he did object to men who were filled with one idea, and who could perceive nothing except through that idea, seeking, by all the means in their power, to force it down the throats of other people. He firmly objected also to the means which the hon. Baronet would adopt, and for that reason he should vote against the Motion.

Mr. S. SMITH: Sir, I have listened with extreme satisfaction to what has been said in reference to this question on both sides of the House, and particularly to what has been said on the part of the Government. I am sure that the statements of the right hon. Gentleman the Secretary of State for the Home Department will send a thrill of joy through the classes interested in the temperance cause; for we have not previously had from the Government, in recent years, declarations of so decided and so satisfactory a kind; in fact, the right hon. Gentleman has shown to-night that he is rapidly becoming, if indeed he has not quite become, a convert to the principle of Local Option. The right hon. Gentleman admits that the inhabitants of the localities themselves should have the power of controlling the trade in drink, and it is exactly that for which the supporters of this Resolution have been contending for many years. While admitting this principle, he has not gone into details as to how the ratepayers are to exercise that control, and this, I admit, is likely to prove a crucial question. From some remarks of the right hon. Gentleman, however, we are inclined to think that it is the intention of the Government to place this power of issuing and controlling licences in the hands of such bodies as Town Councils, or of local County Boards, in which case he will meet with strong opposition from the Temperance Party. It is far from being our wish to mix up this important social question with local politics; and, therefore, we do not wish the control to be left in the hands of bodies elected mainly on political grouds. We foresee that corruption and many other evils would, in all probability, follow the administration of the law, if it was left in the hands of persons elected on such grounds; but, putting that question aside, we certainly receive with the greatest possible satisfaction the large concession to public feeling which was embodied in the remarks of the right hon. Gentleman. In Liverpool, we have devoted especial attention to the Licensing Laws; and we have done this for the reason that, probably, no other town has suffered more from the evils of intemperance in past years. We have in Liverpool a large population of the class which is most easily tempted, and which suffers most from the enormous inducements offered on every side to the indulgence of the vice of drunkenness; and it has, therefore, been a matter of serious consideration among thoughtful men in the community how the licensing system could be placed on a better and sounder basis. I believe I am right in stating that, in our city, public feeling has steadily tended, for many years past, in the direction of what is called Local Option, or, in other words, the control of the liquor trade by the ratepayers. Our Town Council in Liverpool, which was at one time rather open to the blandishments of the liquor trade, passed a resolution, some two years ago, virtually in favour of Local Option, and similar resolutions have been passed by other representative bodies in the town. But what I attach most importance to is a resolution which was passed by the ratepayers themselves, when they were tested by means of a special poll. I may, therefore, say I think that, in Liverpool, we have studied this question as carefully and thoroughly as it has been studied in any part of the country; and, as the result of that study and consideration, we have, practically, arrived at the conclusion which is embodied in the Resolution which has been moved by my hon. Friend the Member for Carlisle (Sir Wilfrid Lawson). The reason which has led the great constituency of Liverpool to this result, and which has induced other important constituencies to adopt the same course of action, is just the coming face to face more closely with the frightful evils of intemperance, and the enormous temptations to it which exist in our midst. The nation has become more fully alive than it ever was before to the dreadful state in which large sections of the British population live. We are coming to feel the great disgrace and misery which result from the fact that in this, the 19th century, and in this country, which has so long enjoyed the blessings of civil and religious liberty, we have large sections of our population more drunken and degraded than is to be found in any other civilized nation of the world. We feel it to be a national disgrace that we should have a pauper population in this country of more than 1,000,000; that we should have another and a larger class existing mainly on private charity; that, in these Islands, there are between 2,000,000 and 3,000,000 of people unable to maintain themselves, and who are, therefore, a burden to their neighbours, and a constant source of disgrace and danger to our country; and that, in addition to all this, we have tens of thousands of children in our cities and towns, both large and small, who who are totally uncared for. It is but natural that we should ask ourselves what is the reason of this. We live in an age of progress, and we can find only one answer—that is to say, we can find only one cause which is adequate to this effect, and that is, the excessive intemperance in the consumption of intoxicating drinks which exists among large classes of our population. It cannot be denied that the laws of our country have encouraged this. They have done almost nothing to restrain either the inclination or the temptation to drunkenness; and it is, in my view, high time that Parliament should devote not only time, but earnest, thought to so grave a question as this one, which lies at the root of so many evils. We feel that, unless some measure of a stringent character is adopted by Parliament, and is passed in order to cope with the evils which everyone admits to exist and thereby prevent them from spreading; a time will come when the residuum of human misery, which exists in our midst, will shake the whole fabric of society, and lead to an outbreak of Communism or Nihilism, or other movements similar to those which are undermining European society at this very moment. Those, therefore, who hold the views of the hon. Baronet the Member for Carlisle feel it to be their bounden duty to do all that in them lies to cope with the evils whose existence cannot be doubted; and I do not know how this can be done more effectually than by attacking the intemperance of the people, which is the great source of the evil which we wish to see put an end to. I do not think it necessary now to go into details; but there are a few points in connection with the subject at which I may glance in passing. We have been told, by many persons, that this is a question which, if dealt with as we propose to deal with it, would bear unjustly upon the rights of the poorer classes. In my view, that is so far from being the case, that the supporters of the Motion before the House wish to concede to the poor man rights which the rich man already enjoys. The richer and more prosperous classes will not tolerate the public-house pest in their midst. There are more than 600 Members sitting in this House, and I will venture to say that there are very few of them who have a public-house within sight of their residence. The richer classes hedge themselves from the sight of temptation as in a little sanctuary. By means of building leases, by reason of the existence of public parks, and by means of other influences, they manage to escape the odious pest of public-houses in their own immediate neighbourhood. They will not suffer their children to run the risk of contamination; but the poorer classes, in our large towns and cities, have no such protection. The children of the poorer classes are exposed to all the corruption and blasphemy which too often issue from the door of the public-house, and they have no legal protection against it. Therefore it is that we wish to give to these poor people the means of protecting their families, which the richer classes enjoy by virtue of private arrangements. I maintain that this principle of Local Option is the legitimate outcome of self-government; and, as this House suffers from a block of Business, it has responsibilities which it has not power to discharge; and, therefore, we feel the absolute necessity of conceding local self-government to our people. We have already relegated many questions to the people, and I hold that no question can be more properly so relegated than the one which we are now discussing. Localities can give to a question of the kind the time and attention which is necessary for its due consideration. They have, as matter of course, special knowledge of the particular circumstances of each case, and are, therefore, able to lay down a system which will suit each particular locality in a way which Parliament could not hope to do, no matter how strongly its wishes tended in that direction. This, I maintain, is especially one of those subjects which can only be dealt with properly under a system of local self-government. The means by which we wish to carry out the object contained in the Resolution of my hon. Friend would be, in each locality, an elected Board corresponding to the school boards; so that as we have boards dealing with education, we should also have similar boards to deal with the Licensing Laws. What we ask further is, that Parliament shall create the machinery by which such Boards shall work; that they will draft a scheme beforehand, and leave the Boards to administer the law. I do not say that the task which we propose to the Government is an easy one. The subject is one concerning which many difficulties occur to us, and they must be solved by careful and judicious legislation. For instance, there would be great difficulty in dealing with the question of vested interests. Again, Parliament must not allow the new Boards, which will have to be constituted, the power to deal merely with new licences; but they must have under their control every existing licence, for no system will meet with the approval of the Temperance Party which does not give complete control over the drink trade. In what way they are to deal with those vested interests I will not express an opinion, neither will I say now as to whether Parliament should or should not admit the principle of compensation; but this I will say—that the new Boards must have entire control, and must, in fact, be Local Parliaments to carry out the wishes of the ratepayers, to put such limits as they may think best to the hours of business in public-houses, to decide the number of public-houses in their own particular localities, and to fix the conditions under which the trade shall be carried on. It has been suggested that if we considerably limit the number of public-houses, we shall largely increase the value of those remaining and make the existing monopoly much more profitable. I am sure, however, that the House will apply to this question the principle of Free Trade, as far as may be, and will not do anything to perpetuate an unjust monopoly. It is, of course, out of the question to suppose that we can permit the giving of licences to a few favoured persons, who have influence to obtain them. One plan of securing fair play, which has approved itself to my mind, would be to put up the licences for sale, with a power of revocation at the end of a certain period, which should be fixed at the time of sale, and then a fresh disposition should be made. In some cases, the licences might be sold to some Company, as at Gothenburg, which will pay over the profits into the National Exchequer; and there were many other matters of detail which would have to be considered; but it must be perfectly clear that it is necessary to construct a skeleton of machinery, on which to work out the principle of Local Option, as, otherwise, the principle must remain *in nubibus* as an abstract idea. We, who support the Motion of my hon. Friend, have been told that it would be best to have the work to which we have set our hands done by moral means; and, in that connection, I rejoice that we have so many temperance agencies doing a large amount of good work; but my contention is, that those agencies have only prepared the way, and laid the basis upon which we can build up a good legislative measure. But for these agencies all over the country, we should not be able to ask for, or to work, if we got it, such a measure as we deem to be necessary at the present time. It is by the action of these societies that we are able to demand a measure of Local Option, with a good hope of being able to work it, when it has been granted by Parliament, for the benefit of society. There exists, at present, a strong public opinion in the larger towns which would prevent any dangerous use or application of the principle of Local Option; but I have been told that, in some places, the application of the principle would increase rather than diminish the consumption of intoxicating liquors. I do not of my own knowledge give any opinion on this point; and I will only say, therefore, that if there are such benighted places, we must subject them to checks which will keep them in the right and not in the wrong direction. This is a matter of first-rate economical importance. The drink traffic drains the resources of the country to the extent of £120,000,000 or £130,000,000 per annum; and I feel convinced that if we had the system of Local Option wisely applied in this country, on the principle in which it is applied in Canada, Australia, and many parts of America, in a few years we should reduce the consumption of intoxicating liquors by a sum equal to the interest of the National Debt. It is clear, therefore, that, from an economical point of view, the question is of the utmost importance. We have also to consider the bearing of this liquor question upon the sluggish state of trade in this country. Ours is no longer a growing trade, as it used to be in the days that followed the abolition of the Corn Laws. [Mr. WARTON: Free Trade!] The hon. and learned Member opposite says "Free Trade!" but we must remember that Free Trade, from 1845 up to 1870, gave us a period of great prosperity. We had a constant and rapid extension of our foreign exports; but during the last 10 years, whether from the imposition of more protective tariffs or some other cause, there has been a partial paralysis of most of our manufactures, and we have found it almost impossible to carry on any kind of trade at a profit. I have some knowledge of the trade of Lancashire; and I say unhesitatingly that the last 8 or 10 years have been a period of dull, heavy, and unprogressive trade. We ask ourselves, are there not some means by which we can provide a more hopeful future for the trade of the country? I do not see much prospect of a beneficial change in foreign markets; but I contend that we have a home market that may be largely extended and increased, if we can put a stop to the waste that takes place upon intoxicating drinks. Suppose we diverted £30,000,000 or £40,000,000 of money that at present goes into the public-houses, to the shops of other tradesmen, what stimulus should we not give to trade? The effect of it would be the creation of a market almost equal to that of India. If we could turn the tide of £30,000,000 or £40,000,000 into the channel of wholesome demand, you would simply turn many trades which are now languishing and are unprofitable into profitable and remunerative concerns. So that I say, on the grounds of economical considerations alone, this House should do everything in its power, so far as it can, to diminish the waste of national resources on intoxicating drink. But this question has to be considered from another point of view. The labour of this country has now to compete with highly-trained foreign labour. The time has long passed away when we had an advantage over other countries arising from our superior knowledge of machinery and superior mechanical power. All foreign countries have equally good machinery and equally skilled labour, and we have to run a close competition with them, more particularly with our kindred across the Atlantic; but whilst we are competing in this way we are heavily handicapped by the intemperance of our working classes. It is well known that, in many of our working communities, Monday is always the slackest day of the week, and that men rarely go back to work until Tuesday morning; or, even if they go back on Monday, they are not fit for useful work. Some years ago, I read the result of a Commission sent out to America to inquire into the question of the comparative value of the English and American working man; and it was found that the working man on the other side of the Atlantic was worth one day a-week more than the working man in this country—owing to intemperance in England. It is time that this state of things should be altered. I think I have said sufficient about the economical part of this question. There is a dreadful amount of human degradation and misery among certain classes of the community in consequence of this vice of intemperance; but there are classes who are more influenced by commercial considerations, and it is before these people we have endeavoured to set these considerations I have urged. From whatever point of view we look at this matter, it is plain that the wisest course open to this Parliament is to throw its whole heart and soul into the temperance movement—to join hands with the large body of the people, the very cream of this country, the very bulwark of England, in what is going to be the great movement of the age and of English society in the closing years of the 19th century. Any Government that allies itself with the cause of temperance will gain for itself great lustre, and will greatly strengthen its hold upon the country and on the hearts of the people. I therefore trust that the Government now in power, presided over by a man whom we all admire and revere, will crown its many other achievements by carrying out a measure of Local Option on a strong solid foundation—something which will work toward the end we all desire—namely, an immense reduction in the wasteful use of the resources of the country, and a great increase in the wealth and happiness of the British people.

Mr. COCHRAN-PATRICK said, he had always looked upon this as an eminently practical question; and he thought they had arrived at a time when it was highly necessary, from every point of view, that this measure should be dealt with by the Government. It was, he thought, impossible to deal with this question satisfactorily, unless it was to be taken up on the responsibility of the Government of the day. He thought it quite impossible for any private Member to carry through a measure of that sort. Therefore, although he had not, on a former occasion, supported the Resolution of the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson), in so far as, on the present occasion, it pointed directly to influencing the Government to deal with the subject in a practical way, he would have great pleasure, if he went to a division, to support him. He agreed with his hon. Friend in some points; but he wished to make very clear others on which he did not agree with him. He agreed with him entirely in all that he had said in reference to the evils resulting from intemperance. As a county magistrate in Scotland, in a district—not worse, but better than many—he (Mr. Cochran-Patrick) had had frequent opportunities of seeing the evil results of intemperance; and he had no hesitation in saying that nine-tenths of the petty crime which came before the magistrates might be attributed, directly or indirectly, to intemperance. In addition to that, there was the wretchedness, misery, and poverty which they brought upon the community. He acknowledged all these to their fullest extent—to the same extent, at least, as could be done by anyone in the House—but he was bound to say that a portion of that might be caused by the evil effects of social habits of long standing. He spoke specially with reference to Scotland. A part of it might also result from the imperfect or impure quality of the ingredients imbibed; but, still, there was no inconsiderable part of it directly owing to the temptations placed in the way; and many of those who had no desire to take drink to excess were not able to resist either the sight of an open door or the solicitations of too good friends. He also agreed with his hon. Friend the Member for Carlisle in thinking that it was highly unsatisfactory to leave this matter as it stood at present. They had had before them now, as on several occasions before, Bills of the most excellent intention, but which had a very partial local effect. He was not saying anything against them; but he would only point out that, in legislation of this sort, the mere fact that it was partial and local left a margin all round where, undoubtedly, practical evils existed. Therefore, for those reasons, and other reasons as well, he was extremely glad to think that this question would be dealt with on the responsibility of the Government at no very distant date, and in such a manner that those interested in the question, and who desired to see it solved with justice to all the interests involved, and with regard to the whole country, would be able to have a tangible measure before them. There was one point in the wording of the Motion, or rather the meaning attached to the words, from which he desired to differ. His hon. Friend referred to Local Option. There were various meanings attached to that phrase, and there was one technical meaning which he (Mr. Cochran-Patrick) had considerable objection to. There was also another meaning, which meant giving expression to the wishes of the locality. So far as that went, he was inclined to go as far as the hon. Baronet, and possibly further. Speaking more especially of Scotland, if they were to make any change in the present system of licensing and the administration of the Licensing Laws, he would far rather see, not a partial power, which the hon. Baronet meant by Local Option, but see him trust the people to the full extent of giving them power to regulate the liquor traffic. He believed a great number of practical objections would be met by putting the whole initiative of licensing the liquor traffic in the hands of elective Boards, with a vetoing power placed in the hands of magistrates. He did not know what was the experience of the hon. Baronet; but he believed in Scotland, where they dealt with the Parliamentary and education franchise, they would deal with this question in a manner which, in the long run, would be more likely to be satisfactory and permanent than any other solution of the question which he saw.

Mr. C. S. PARKER said, that, speaking as a constituent of the hon. Gentleman who had just sat down (Mr. Cochran-Patrick) he was glad to welcome him as a supporter of Local Option, and trusted that his vote would also be given to the measure which the Government would bring in, he hoped not later than next year, to give effect to the Resolution now before the House. He also congratulated the hon. Member for Carlisle on the fact that, large as was the proportion he had recorded already for Scotland favourable to his proposal, it would be increased by the adhesion of his hon. Friend opposite. He was not quite so sure that he could give him the same full measure of congratulation as some hon. Members had done on obtaining the support of the Government; for, looking at the manner in which this union had been brought about, the hon. Baronet might think that the price paid for it was too large. It must have been impossible for the hon. Baronet to listen without somewhat mixed feelings to the right hon. Gentleman the Secretary of State for the Home Department; because, while he had freely given in his own adhesion and that of the Government to the principle of Local Option, it must have been plain to the hon. Baronet that the right hon. Gentleman could not have done so if that principle had not been understood by him in some other sense than as equivalent to the Permissive Bill. He (Mr. C. S. Parker) himself had listened to the Home Secretary with great satisfaction, having always voted for Local Option in the same sense as that in which it now seemed to be supported on the Treasury Bench. It was pointed out by the right hon. Gentleman that they had already the principle of restriction upon the drink trade, and they had already the principle of local authority; and what Local Option appeared to mean in the view of the Government was that this authority should, in the first place, be strengthened, and enlarged. It extended already in the direction of controlling licences; but he thought, perhaps, this was the first time that they had heard it laid down by a legal authority in the House that it extended not only to refusing new licences, but to total prohibition. ["No, no!"] He took note that the hon. and learned Member opposite (Mr. Edward Clarke) dissented from that view of the Home Secretary; but, whether the present law were so or not, it would be for the Government to consider, in drawing their Local Government Bill, whether they should not arm the local authority with larger powers, possibly powers extending even, where the local authority was so inclined, to total prohibition; extending also in the direction of enforcing local hours of closing and other local regulations beyond the Imperial law, suited to the circumstances of each place, so that the traffic might be conducted there with the least possible mischief. But, besides enlarging the powers of the local authorities, he took Local Option to mean that the local authority should henceforth be more directly responsible in the ordinary sense to local public opinion. He admitted, what an hon. Member had pointed out, that the magistrates were, in a great degree, so responsible. It was said that they could not act in defiance of the public opinion of the neighbourhood; but still it did happen, in many cases, that their response was very sluggish to the feeling of the people, and there were cases where they had even acted in direct opposition to what was the prevailing sense of the community. He understood Local Option to mean that this local authority in future, owing their election, at least in part, to the vote of their neighbours, should, in consequence, be more easily impressed by the public opinion of the neighbourhood; and, in case they were not so impressed, should be liable at the next election to be removed. The part which was to be omitted, it appeared to him, of the hon. Baronet's plan, in the proposals of Her Majesty's Government was precisely that which, to his mind, had always been the most questionable feature—namely, direct popular veto; the principle, in the first place, of total prohibition; and, in the second place, of what was now beginning to be known, even in this country, as *plébiscite.* He had never been able to support the hon. Baronet's Permissive Bill, because he had never been of opinion that it was a safe and sensible way of dealing with the question, to collect the votes of the community, not for the election of some of their fellow-citizens and neighbours to look into the details of each case on its merits, but to collect their direct votes, on the single question whether they would continue the present traffic, or sweep it away at one blow. He could only say, as regarded the City of Perth, which he represented, that supposing they were to have the Permissive Bill as a permissive prohibitory Act tomorrow, he did not believe it would have the slightest effect, because he did not think a majority would be found to vote for total prohibition. On these grounds, regarding that Bill as unpractical, five years ago he had ventured to suggest to the hon. Baronet to drop his Bill, and propose local control in some amended form that might obtain more general approval. At the time he incurred his hon. Friend's displeasure. On reflection, however, the change was made; and he hoped that to-day at least, if not long since, he was forgiven. But no real progress would be made until they could join, not in an abstract Resolution only, but in legislation. He trusted that the hon. Baronet, and the large and influential Party who worked with him, and to whom the grateful thanks of the community were due for having brought the question so far, would see the wisdom of at present accepting what they could get, and would actively support the measure which the Government would bring in next year to place the control of this traffic in the hands of local elected Boards.

Mr. GREGORY: Sir, I heartily sympathize with the progress that has recently been made in connection with this question through the untiring exertions in its favour that have been made by my hon. Friend opposite (Sir Wilfrid Lawson). Much praise is undoubtedly due to him for those exertions, and my hon. Friend has most undeniably done considerable benefit to the community; but what the House has to consider is, whether the progress that has been made requires to be facilitated by a measure of so strong a character as that advocated by the hon. Baronet the Member for Carlisle. There is no doubt that a great deal has been done towards the suppression of public-houses in the direction which is contemplated by the present Motion, for the question lies, to a very considerable extent, in the hands of the owners of property. This has been the case particularly in this Metropolis. It so happens that the leases on several estates of the larger character are falling in about the present time—the leases on the Westminster, on the Portland, and on the Bedford estates—and this gives an opportunity for the owners of these properties to deal with the public-houses on their estates, of which they are not slow to avail themselves. The Duke of Westminster, I believe, has abolished nearly all the public-houses on his property in London, and this is an example which is being followed on other large estates in the Metropolis. Not only is this being done in the Metropolis, but landlords in the boroughs and counties are adopting the same course, when they have the opportunity. The right hon. Gentleman the Secretary of State for the Home Department, when he talks of conferring upon the people of a district the same powers which a landlord exercises over his property, indulged, I take it, in a wholly false analogy with reference to this subject. The way a landlord deals with his property is this—he lets the lease run out; he acknowledges the right of both the lessee and the occupier of the property during the existence of the lease; and it is not until the lease has determined that he deals with it in any way. But what is proposed by the Motion of the hon. Baronet opposite? As far as I understand it, the people of a district are to have the right of practically determining a lease, because without the licence the lease is of no value. The majority of the inhabitants are not only to have the power to prevent a new licence being granted, but they are also to have the right of revoking an old licence. It may be said that now, when a licence goes up for renewal before the licensing body, they can refuse to renew it; but we all know that that is not the actual practice. You know that the right to a licence is bought and sold, and you recognize that right over and over again. You renew these licences almost as a matter of course, merely because a man has obeyed the law which you laid down for his regulation; and, practically, you tell a man that as long as he complies with your statutory regulations he will have a renewal of his licence. Now, I do not mean to say that there have not been a great deal too many licences granted. They have been granted indiscriminately and recklessly in former years; but that is not a reason for taking away vested rights, and the difficulty now arises how are we to deal with them? When it is proposed to take away those rights, we cannot deal with them in an indiscriminate manner; but we must provide some scheme with compensation for the owners of property interfered with. This difficulty arises if you allow the ratepayers to void a licence. You must impose upon these ratepayers some obligations as to providing compensation. Are the ratepayers, is my hon. Friend the Member for Carlisle, prepared to accept such an obligation? What struck me very much in the course of this debate was that, whenever any hon. Member has discussed the details of this Motion, the hon. Member has always differed in his ideas of its workings from the Gentleman that preceded him in the debate. It is, in regard to this Motion, *quot homines tot sententiæ*, I think that the hon. Baronet opposite must have had this fact in his eye when he drew his Motion, for he has most carefully avoided giving us any notion, or any idea, by what means he intends to carry on the principle of his Resolution, if it should become law. I think the hon. Baronet acted wisely in his generation; but when we come to vote on such a Motion as this I think that we do but right to inquire how it can be carried out. It appears to me that the proper course would have been for us to have some indication of the Bill by which the Government would propose to have this Motion carried out. If the Government would indicate anything that could be carried out, we might see our way; and I think the Amendment or suggestion of my hon. Friend the Member for the University of Oxford (Mr. Talbot) shows something that the Government ought not to overlook. His suggestion goes to the consideration of vested rights and interests; and I think the House is bound to declare that it will recognize those rights in dealing with so important an interest as the subject of the present Motion. I am quite willing to promote the cause of temperance, so long as we can do it justly and fairly with regard to these vested rights and interests. They must be regarded in the discussion of a question like this. Unless you are to confiscate property such as this, under the circumstances your only remedy is to destroy it; but having created it, you must compensate the holders of it. At present we have no actual scheme before us. We have nothing but the bare Motion of the hon. Baronet, that a majority, in every case, should have the power of shutting up the public-houses. Well, now, would that really effect the object of the hon. Baronet? I, for one, very much question it. At any rate, it would lead to a perpetual contest between the ratepayer and the publican. The latter would undoubtedly be supported by the brewer and the distiller, powerful backers as they no doubt would be; and I venture to think that, in many cases, even if the Motion is carried, the publican would not only maintain his position, but materially improve it. I therefore confess that, dealing with this Motion as an abstract Motion, I cannot bring myself to vote for it, however much I may concur with the gradual reduction and extinction of public-houses. That they can be reduced in number I am prepared to concede; but I must also concede that that should be done equitably and fairly. Protect the interests of the public if you will, but deal justly with those who are entitled to their property. Whilst you promote public morality as the hon. Baronet proposes, do not forget that you may advocate public injustice.

Mr. WHITWORTH: Sir Arthur Otway, I have taken a great interest in this question for the last 55 years; and I have seen the results of the evils of drink in almost all parts of the world. As to the legislation in America with respect to the drink traffic being a failure, I believe there never was a greater mis-statement made. In Ireland, restrictions upon the sale of intoxicating liquor have been highly successful; in fact, I maintain there has been no instance of restriction in the history of this question that has not been successful. The hon. Member for East Sussex (Mr. Gregory), great lawyer as he is, evidently does not keep himself posted up as to the law on the question of compensation for loss of licence, or else he must have forgotten the decisions that have been recently given, particularly in the case of Darwen. In that town the magistrates annihilated 34 licences at one Licensing Sessions; an appeal was lodged against the magistrates in Quarter Sessions, and afterwards taken from the Quarter Session to the Court of Queen's Bench, where it was finally decided that the magistrates had perfect power to deal with licences as they thought fit.

Mr. GREGORY: I never questioned the power of the magistrates to deal with licences. It was equity I spoke of.

Mr. WHITWORTH: Well, if the equity of the proceeding were inquired into, it would be found to be on the side of the people, instead of on that of the publican. The case of Darwen very clearly shows that the law does not recognize the principle of compensation; and I think the hon. Gentleman would not apply the principles he has enunciated to-night if the question were that of land. A yearly tenant, clearly, is not in the same position as a leaseholder; the hon. Gentleman argued as if he were. I think you could not find a Judge in the country who would say that a publican is entitled to compensation if his licence is taken from him. The Bill which the hon. and learned Gentleman the Member for Kildare (Mr. Meldon) brought in a few years ago destroyed the licences in Dublin of, I think, something like 200 to 300 beersellers; but not one word was then said about compensation. Sunday Closing in Ireland has cut off, according to Mr. O'Connor's opinion, 50 per cent of the value of public-houses in that country—that is to say, a six days' licence is only worth half as much as a seven days' licence. Well, there has been no attempt to claim compensation for cutting off from the publicans' licence the Sunday, which is by far the most productive day of the week. A great deal has been said to the effect that this is an attempt to tyrannize over the working men. I think the working men are well able to take care of themselves in this matter; in fact, my hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) proposes to place the whole matter, practically, in the hands of the working classes of the country; because the working men are decidedly in the majority, not only in the Parliamentary constituencies, but, as ratepayers, in every town and district. Now, as regards the effect of drink upon the industry of the country, I believe that, if we could only reduce the expenditure on drink by 50 per cent, and if we could invest the saving in other industries which would employ people, we should have an amount of prosperity that we have not seen in the country during the present century. In 1872 we had a great spurt of prosperity, and the effect of that was to advance the wages of the working classes, on an average, from 50 to 60 per cent; and I maintain that, if we could only divert £60,000,000 or £70,000,000 sterling from drink into various channels of industry, we should produce a permanent increase of the wages of the working people of the country to the extent of fully 20 per cent. That would be a great boon; for it would have at once reduced pauperism and crime as well. I have a few figures here, which were embodied in the annual report of a life insurance office to which I belong. The report was considered this very day. The general opinion of the public is, that a moderate use of intoxicating drink is not injurious to health or life. Now, what are the facts? In this office, we keep the two classes of men—abstainers and moderate drinkers—entirely separate. During the last 17 years, the expected deaths amongst the abstaining section of the insurers were 2,644, but the actual deaths were 1,861. Amongst the moderate drinkers—we take no immoderate drinkers—the expected deaths during the same period were 4,408, while the actual deaths were 4,339, scarcely any difference at all. These figures, therefore, show that, among the temperate or total abstainers, the actual deaths are only 70 per cent of the expected deaths; whereas, in the moderate drinking section, the actual deaths came within the merest fraction of the expected deaths. But there was a very remarkable state of things in the last two years, owing, I maintain, to the great spread of temperance during that time. In the last two years the general section of the moderate drinkers showed to very much greater advantage than they had ever done before; for the expected deaths were 647, while the actual deaths were only 585. That is a very great reduction, as compared with the state of things during the whole period of 17 years; and, in my opinion, it is only another evidence that the great wave of temperance that is now flowing over the country is affecting very largely, and very beneficially, the health of the population generally. Now, as regards the working classes, let us turn to benefit societies composed exclusively of working men. There are two large societies in Bradford; and it is found that among the Rechabites, who are total abstainers, the average sickness is not more than one-third the amount it is among the Odd Fellows. These facts show, beyond question, that it is altogether a mistake to believe that even a moderate use of intoxicating drink is at all useful to the human constitution. As to the policy of restriction, I need only quote certain words used by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster). After two years' experience of Sunday Closing in Ireland, the right hon. Gentleman made this very remarkable statement to a deputation which waited upon him on the subject—

> "Unless the Sunday Closing Act is renewed, I would not be responsible for the government of Ireland."

I firmly believe that, if the Government bring in and carry a Bill, a thoroughly Radical Bill upon this question—and I do not think they can bring in a Bill that will be too Radical even for the present House of Commons—they will find the government of this country much easier. I have, therefore, very much pleasure indeed in supporting the Resolution of my hon. Friend the Member for Carlisle.

Mr. LONG said, that his constituents in North Wilts had urged their Members to support the Motion of the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson); but he was sorry to say that he was unable to do so, and desired briefly to state why he should go contrary to the wishes of his constituents. The aspect of the question had been very much altered by the speech of the right hon. Gentleman the Secretary of State for the Home Department. He (Mr. Long) regretted that, in a debate of this nature, after the singularly moderate speech of the hon. Baronet the Member for Carlisle, the right hon. Gentleman should have thought it necessary to make unpleasant remarks on those whose duty it was to administer justice in the rural districts. ["Oh, oh!"] He maintained that the right hon. Gentleman had made a kind of charge against the country magistrates, and especially resident magistrates, by his insinuation that their main objection to the licensing of new public-houses on their property was the fear that poachers would be harboured in them. [*Laughter.*] Hon. Members on the Liberal side naturally laughed at that, because they were glad to enrol themselves in opposition to the Game Laws. That accusation of the right hon. Gentleman against landlords who had the control of the erection of new public-houses was unjustifiable and unnecessary. The right hon. Gentleman had stated that the magistrates had an absolute power of refusing licences to local publicans; but hitherto, unless he (Mr. Long) was much mistaken, the magistrates had believed that they possessed no such power, unless evidence was brought against the publican's character or conduct. The right hon. Gentleman, however, had distinctly laid it down that, according to law, the magistrates already had power to refuse to renew licences, even though there was no charge and no complaint against the applicant. That doctrine would be new to many magistrates of experience. If magistrates had that power, it was a most extraordinary thing that the magistrates of the county referred to by the right hon. Gentleman should have sent a deputation to him, with respect to a state of things over which they had already complete control.

No doubt the right hon. Gentleman was correct; but he (Mr. Long) could not allow that the magistrates were afraid to do their duty, because of the odium attaching to it. A great deal had been said of the feelings of the working classes, which, however, it was not very easy to ascertain. The subject of temperance was nearly connected with religion, and the Prime Minister had last night spoken slightingly of Petitions on religious subjects. The clergy of all denominations had identified themselves with the question of temperance, and he was not a whit behind them in this matter; but he was not utterly regardless of the means by which that end was to be obtained. It seemed, however, to him (Mr. Long) that there was a danger lest a good object should be promoted by undesirable means; and he ventured to ask those who supported the opinions held by the hon. Baronet, were they to be carried away by a desire to attain a good end, and be utterly regardless of the means by which they were to attain it? He did not mean to suggest that the means of the hon. Baronet and his Friends were not wholly justifiable, or not wholly good; but were they not rather carried away by this extraordinary rush throughout the country in favour of temperance, and were they not becoming somewhat inclined to carry a measure which really would not act in favour of temperance? He could never support Local Option in its pure sense, because, practically, it involved the transference of the power of granting licences from the Justices of the Peace, who had, on the whole, done their work fairly well, to the ratepayers, who might, perhaps, do it very ill, and who, besides, in many cases, would not be fairly representative of the body of the people of the district. In the cause of temperance, however, he should be in no way behind the hon. Member for Carlisle. Indeed, both sides of the House were equally anxious to find a remedy for existing evils. He would like to hear from hon. Members opposite, in the event of such a transference taking place, whereby the number of public-houses would be reduced, what scheme of compensation they proposed, supposing they intended to confiscate the property of those who had invested their money on a certain understanding. [" Oh, oh! "] He supposed it would not be denied that they would confiscate that property if they transferred the power of licensing from the Justices to the ratepayers. That was a question, at least, which demanded an answer.

Mr. WILLIAMSON: Sir, I believe the speech of the right hon. Gentleman the Secretary of State for the Home Department, expressing as it did the mind of the Government on this important question, will send a thrill of satisfaction through the length and breadth of the land. No man will appreciate that fact more than the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson), who has laboured so long and has persevered so much, as I hope and believe, towards success in this question. For myself, I most heartily support the proposal of the hon. Baronet, because I believe that at last the artizan classes of this country are to see the means provided whereby their voices may be heard on the question as to whether they, who are the most interested in the matter, shall preserve themselves, their homes and their families, from the pitfalls and temptations by which they are surrounded and assailed on every side. Objections have been taken in some of the speeches which have been made on the other side of the House, because of the many ways in which this Local Option Resolution can be carried out. I think those objections are of a shallow character. There are many ways of moving forward, but only one way of standing still; and I hope there may be many suggestions made before this Resolution is crystallized into law. Many suggestions have been made, in the course of this discussion, which could certainly not be carried out; but I do hope that all the suggestions which have been put before the House will be considered, and that the Resolution which has been accepted by the Government will be adopted and embodied in the law of the country with the least possible delay. The hon. Gentleman the Member for North Wilts (Mr. Long) took exception to some remarks made by the Secretary of State for the Home Department, as to the action of the magistrates and the exercise of their discretion. I have no doubt that the hon. Member for North Wilts is himself a magistrate, and that he knows that, as a body, they have endeavoured, to the best of their ability, to carry out the law as it stands. But I will give the hon. Gentleman an instance of the great failure of magisterial discretion. At Liverpool there is a splendid Sailors' Home, in which hundreds of thousands of our seamen are received every year. The Liverpool magistrates have sanctioned, within a radius of 150 yards of that Home, as many as 47 flaring gin palaces. If the hon. Member thinks that that is a wise exercise of the magisterial discretion I certainly do not hold the same view.

Mr. LONG explained that he had merely asked the Secretary of State for the Home Department whether, as a fact, the magistrates could refuse to license public-houses.

Mr. WILLIAMSON: I have no doubt the magistrates have exercised their powers to the best of their ability; but they are pressed upon all sides by influences which they cannot withstand, and the curtailment and cutting off of licences is really out of their power. Put the matter in the hands of the ratepayers, and give them a potential voice, and the difficulty will soon be overcome. The hon. Gentleman the Member for East Sussex (Mr. Gregory) gave us what might be called a somewhat dry lawyer's property view of the question. If the decision of the Over Darwen Justices is right, as I believe it to be, we shall soon have got over all difficulty on the subject. For what purposes have licences been so freely granted and scattered over the land, to the demoralization and injury of the people, in places where vast masses were congregated? They have not been granted, in the words of the Resolution of the hon. Gentleman the Member for Oxford University (Mr. Talbot), to supply articles of ordinary consumption. They have not been granted to supply the necessaries of life to the people; on the contrary, they have been granted by magistrates to men who have not any particular calling or occupation; perhaps a large number of them are lazy men who think keeping a public-house an easy and gainful way of making some money; and they have been granted in this way to the vast detriment, and degradation, and impoverishment of the people. I rejoice exceedingly at the attitude taken by the Government on this question. I am sure the country will also rejoice, and I hope that before 12 months are over we shall have, on the Table of the House, a large and effective measure that will put down altogether, or at least greatly diminish, intemperance.

Mr. DICK-PEDDIE: Sir, I wish to say a few words with reference to the constitution of Scotch Local Boards. My hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) stated that the system of Local Boards in Scotland did not work very well; but I think that he cannot but be aware of the fact that the Boards which there administer the Licensing Laws are not Boards such as are now advocated for the express purpose of administering those laws, but they are formed from the Town Council of the borough, consisting of the provost and baillies—or magistrates, as they are called in England. These gentlemen were not elected for that special purpose, or with reference to their views on this question alone, but upon all the questions that occupy the attention of the community at the time the annual elections of Town Councillors take place. The hon. Baronet (Sir John Kennaway), who has an Amendment on the Paper, stated that there would be no security that Local Licensing Boards would be better than the present Licensing Authorities. We, I think, have every security that they would. The present Licensing Authorities are not elected at all; they are merely nominees; but a Board elected directly by the ratepayers, and knowing that, at a stated time, they must return to give an account of their doings, would be a very different body to the existing Licensing Authorities in England. Reference was made by the hon. Baronet to the Scotch Bill on this subject, which is now before the House, and he objected to the stringent clauses of that Bill. I admit that they are very stringent. I have no power or authority to speak on behalf of the hon. Member for Linlithgowshire (Mr. M'Lagan), who brought in that Bill; but I may say, for myself—my name being on the back of the Bill—that while I think, the principle of Local Option being granted, the best and simplest way of giving effect to it is by a direct appeal to the ratepayers, I am not wedded to that definite opinion; and if a Board can be elected directly representing the ratepayers on that point, I should be perfectly willing to intrust them with that power. A suggestion was made by the hon. Member for

Perth (Mr. C. S. Parker) that the present magistrates should be associated with the Boards proposed to be elected, and another hon. Member suggested that a certain number of local men should be associated with the magistrates in another form. I consider that either of these proposals would be utterly ineffectual. You must have, in order to satisfy those who ask for Local Option, either direct reference to the ratepayers, and an appeal to them under the ballot, or Boards chosen by them for the express purpose, not merely of administering the Licensing Laws, but of determining whether there should be licences or not. Unless you have one of these two things, you fail to satisfy the just demands of the public. The last speaker on the other side wished to know how the present laws are administered. That is not the question with us. We are opposed to the licensing system altogether. If it were decided in any locality that the present licensing system should continue, then the Board would administer the system; if it were decided that there would be no licences in that district, the Board would then have no function to perform except to put an end to all the licences, and then to wait for the next election. I rose simply for the purpose of correcting the misapprehension fallen into by my hon. Friend the Member for Carlisle as to the working of the Scotch Local Boards. They are not Boards elected for the purpose of licensing; and therefore they fail, as they have most singularly failed. I wish to re-echo the expression made use of by a previous speaker as to the great advance this question has made. The statement of the right hon. Gentleman the Secretary of State for the Home Department was most satisfactory; but what is even more satisfactory is, that while last year the Resolution was supported by almost every Member of the Government with the exception of the Prime Minister, it is now to be supported by the Prime Minister and the whole body of the Ministry, and that we shall have the Prime Minister walking into the Lobby with the supporters of the Resolution, instead of going out of the House, as he did on the last occasion when it was brought forward.

Mr. DIXON-HARTLAND said, that, in his opinion, the real question involved was not one of temperance, but of the liberty of the subject. He understood that if, in a place of 10,000 inhabitants, 5,001 voted for putting down public-houses, the remaining 4,999 would not be allowed to drink at all. ["No, no!"] That was how the country understood the question; but if the hon. Member who said "No!" was correct, all he (Mr. Dixon-Hartland) could say was that he could not understand what it really was. In many cases it was quite necessary that persons should have stimulants. He looked upon Local Option as a class question. The hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) said he pleaded the cause of the poor; but he (Mr. Dixon-Hartland) thought such a measure as this would affect only the poor, and leave the rich to enjoy their liberty to partake at their own will. As the Resolution stood, any hon. Member of that House would be allowed to have wine, spirits, and beer in his cellar, whilst poor people would be unable to obtain anything. He could not do otherwise than vote against a Resolution which was so one-sided as the one under discussion, though anything which would really promote the true cause of temperance he should only be too happy to support.

Mr. WALTER said, he desired to say a few words on this subject, because, on former occasions, he had either voted against this Resolution of the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson), or abstained from voting. He felt now somewhat in a difficulty, because he thought the Resolution might be voted for in one of two different senses. It might be voted for in the sense attached to it by the hon. Baronet who proposed it, and who was supported by the great mass of the temperance societies; or he might vote for it in the sense attached to it by the right hon. Gentleman the Secretary of State for the Home Department. It was very important that that should be clearly understood. If his (Mr. Walter's) vote were to imply that he voted for it in the sense attached to it by the hon. Baronet, he should certainly not support it. On the other hand, if he were at liberty to place on it the construction which he took to have been placed upon it by the right hon. Gentleman in very cautious and guarded language, and which he (Mr. Walter) himself was prepared to endorse, then he could vote for it with a clear conscience. The hon. Baronet and the right hon. Gentleman agreed on certain main points. They agreed that there should be Licensing Boards of a representative character, as opposed to Boards consisting purely and simply of magistrates. He had no objection to that, though he did not join in the language used by some hon. Members as to the total inefficiency of the magistrates in dealing with this question. In his own county, he could say that during the last year or two, since it had been fairly understood that the magistrates had a much greater power of withholding licences than they used to have licences; had been withheld, and no new licences had been granted, and a good many public-houses had been suppressed; but, speaking as a magistrate himself, he could not say this duty entailed any great pleasure or gratification on those who exercised it. He should not object either to be relieved of that duty, or to be supported and backed up by a Local Board. It was said that the Elective Body, which was to administer the new system, was to be of a local character. The hon. Baronet attached one meaning to the word "locality," and it was quite clear that the right hon. Gentleman the Secretary of State for the Home Department attached a different meaning to the word. The right hon. Gentleman would not have anything to do with Boards elected *ad hoc;* and he (Mr. Walter) himself would never consent for one moment to any Local Board whatever having any right or power to shut up public-houses in any locality. On that he must observe that he thought the excellent cause, for the progress of which the world was so much indebted to his hon. Friend the Member for Carlisle, was greatly injured by the intemperate language used by many of its advocates. It seemed to him that a certain proportion of Englishmen could not help being intemperate on every subject they took up—in their business, in their pleasure, in hunting, shooting, and in amusements of every other description; and they were intemperate in language, and especially in language in which they condemned intemperance; and of all intemperate people he ever came across on this subject, commend him, as being the most conspicuous, to a clergyman when he became an advocate of temperance. But his hon. Friend had done him (Mr. Walter) the honour of referring to some expressions he had used as to alcohol being "the devil in solution." By that expression, he simply meant pure alcohol, not the dilution of alcohol in a glass of beer, which was as great an offence in the eyes of a Blue Ribbon man as a glass of raw whiskey. They should consider what sort of language these people used. He had had forwarded to him to-day, a paper describing the proceedings of the Grand Lodge of England of the Independent Order of Good Templars. What did they say on this subject? This was a resolution which they passed—

> "That this Grand Lodge, recognizing the importance of every possible curtailment and restriction of the intoxicating liquor traffic, pending its ultimate suppression, would urge upon its members and upon all patriotic citizens to give every possible support to Parliamentary measures for"

this, that, and the other objects. Such language as that showed the temper in which the matter was being considered. Here were people who would not be content with any terms whatever except the total suppression of what they believed to be deadly poison. He protested altogether against such language being applied to the use of stimulants in any form whatever, as that employed by Dr. Richardson and other well-known advocates of temperance. He did not believe in it. He believed that the notions expressed by such language were utterly gross and mischievous errors and delusions. In his opinion, the moderate use of wine and beer was just as good and wholesome for Englishmen as that of any other beverage. The whole question turned on the use or abuse of these things. After all, when they came to talk about the great injustice of exposing people to these temptations, surely the drinkers of the last generation in the upper classes were not driven from them by the prohibition of the sale of wines and spirits. They were taught by education and example to put restraint upon themselves, and not to feel that every public-house and every club and dinner table was a temptation too strong to be resisted, or that it was to be suppressed in order to preserve them from the consequences of their own weakness and intemperance. He hoped that in course of time, and before long, the lower classes would feel the influence and show the good effects of teaching and example all around, and he attached much more importance to that than to any legislative measures whatever. He would now say one word as to the language which was used habitually by the advocates of teetotalism. Those persons spoke of the Licensing Laws of England as if they were intended to give facilities for the sale, or what they called "the traffic in intoxicating drinks." He maintained that was a totally erroneous view of the question. The Licensing Laws were restraining laws; they restrained all those who were not licensed from selling what they would otherwise be at liberty to sell. Then he objected to the term "trafficking in drink." He thought it was an offensive term, and meant to be so. There were plenty of persons of very good character who kept public-houses where men did not get drunk every day of their lives. He did not see why a term of reproach such as "trafficking" should be thrown at them any more than at grocers, or butchers, or bakers. There were other things in which men were very intemperate, and which to him (Mr. Walter) were just as distasteful and offensive as drink. He would mention one. He was a great enemy of smoking, and would not smoke the best cigar in the world if they gave him £5. He had known young men very seriously injured for life by smoking. But he would not, on that account, adopt the offensive language used by Dr. Richardson and others, and say that every tobacconist's shop should be shut up. He did hope, now that the Government had really taken the matter up, they would have effective legislation, and legislation framed on the principles of common sense and reason, and that the localities would not be handed over to people who were in reality as intemperate themselves in their ideas as regarded the requisite remedy as those they wished to restrain and rescue from the terrible vice of drinking.

Mr. ONSLOW said, that he could not agree with the hon. Member for Berkshire (Mr. Walter) as to the injurious effect of smoking. As regarded the subject under notice, he would urge that if a Board had to be appointed for the purpose of regulating licenses, it ought not, at any rate, to be chosen by the electors or ratepayers of a particular district. He had taken a great interest in this question, and, looking at his own county, he was able to say that every one of the county and borough magistrates had always endeavoured to show the ratepayers that, while they would not encourage drunkenness in any form, they did not wish to put pressure upon the publican in order merely to interfere with the sale of beer, and that they required a good deal of evidence before they licensed fresh houses. The gentlemen who called themselves teetotallers could hardly be described as the best specimens of humanity that could be conceived. As a rule, the teetotaller would be a much better member of the community were he, every now and then, to show broader views, and to take a more comprehensive view of the real interests of the working classes. He did not believe that if the working classes throughout the country were to be polled, they would be found to be in favour of closing the public-houses in any particular locality, as proposed by the Resolution before the House; and if such a law were to be passed, the discontent and ill-feeling which would be caused would be enormous, and he believed that a good deal of rioting would ensue. He could fully endorse the remarks of the hon. Member for Berkshire with regard to the strong and intemperate language used by these so-called teetotallers; and, as an instance of it, he might mention that a short time since gentlemen calling themselves clergymen—he did not believe of the Established Church, but prefixing the title "Reverend" to their name—came down to the borough he had the honour of representing, and, in lecturing upon the subject, actually told the ratepayers that their salvation depended, and depended solely, upon their abstaining from the use of alcohol. ["Oh, oh!" *and laughter.*] He was not exaggerating one iota; he had seen in the local papers, speeches in which these gentlemen set forth that a man who did not take liquor was more likely to be saved hereafter, and working men had come to him, and said they were disgusted by it. He was sure the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) did not use language of that sort; but he had seen in a periodical, in which the hon. Baronet was interested, rather violent language, which he felt sure he would not use in the House of Commons. It was not because they wished to back up the publicans, or because they looked on the question as a publican's question, that they opposed the Resolution of the hon. Baronet, but because they looked on it as a working man's question, seriously affecting their rights, privileges, and freedom. It would be unfair to deprive the working classes of a liberty which the wealthier classes enjoyed. And as to the numerous coffee-houses which the Temperance Party had opened in opposition to the public-houses, he could only hope and trust that no hon. Member would ever be tempted into one of those places, and drink the vile stuff they sold, for anything more horrible, more unpalatable than some of the decoctions sold in those places he could not imagine. ["Oh, oh!" *and laughter.*] Hon. Gentlemen cried "Oh, oh!" but their exclamations would be much louder if they had to drink the vile stuff sold under the name of "coffee," &c., which was far more deleterious to the working classes than a good glass of English beer. He trusted that as an English and a Christian nation we should cling to our glass of beer.

Mr. BUXTON said, he had had the honour of supporting the principle of this Resolution on two previous occasions, and he should then again vote in favour of it with pleasure. The Government had intimated that they would support the principle of Local Option, and that they wished to see it embodied in a Local Government Bill. But that was a very large subject, dealing with many other questions and interests than that of Local Option, and it would require great force behind it in order to get it through the House. He could only hope that the large majority which would vote that night in favour of the Resolution of the hon. Baronet would act as a lever upon the Government in promoting the passing of the Local Government Bill which they were going to introduce. As to the point of compensation, referred to by the hon. Member for North Wilts (Mr. Long) in a very able speech, that was a matter which would require careful attention; but it was not now before the House. The Resolution of his hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) did not deal with it, and there seemed to be so many interests involved, that the question would entail a very large amount of discussion in the House before it was finally settled. He had felt much satisfaction in hearing what had fallen from the right hon. Gentleman the Secretary of State for the Home Department, and he should support the Resolution as both a smoker and a drinker, and he trusted that the Government would soon deal with it in a comprehensive measure.

Mr. STAVELEY HILL said, he thought that a few words with reference to the condition of things personally experienced by himself, in countries where prohibition existed, might guide the House not a little in coming to a conclusion as to what the effect of the Resolution of the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) would be if it became law in this country. He took it, that what the hon. Baronet was aiming at was the complete suppression in localities, where sufficient pressure could be brought to bear, of the consumption of drink. He would take the House, first of all, to a place where there was no intoxicating drink to be got of any sort. That was in North America; and having sailed up the St. Lawrence, after arriving at Quebec, having crossed the Charles River, they would arrive at the town or parish of Beauport, where the old "habitants" of French extraction were completely under the influence of the clergy. The priests had brought their influence to bear so strongly that not only was no intoxicant of any kind sold there, but by mutual agreement—strictly observed—none was kept by any person in the locality. All were agreed to banish it; and he would admit that throughout the length and breadth of either the Eastern or Western Hemisphere, not a better conducted, more happy, or more moral set of persons could be found than the inhabitants of that district. They had not the slightest desire to have any drink, nor had they ever had any. They were, it is true, persons of small ambition and content with moderate pleasures, and this abstinence had prevailed for a great many years, and they had now dismissed drink entirely from amongst them. So far he would concede to the hon. Baronet that persons might live not only happily, but most happily, without having any intoxicants in their houses. Next, he would take hon. Members a step, rather a long one, into the North West, and there, on the vast prairie, as soon as they left the last town behind them, they would be under the absolute prohibition of intoxicants. Not only could no intoxicants be obtained, but not a drop would they be allowed to carry with them. If a drop of whiskey was found concealed in a pocket-pistol, it would be taken away from them; and, moreover, if any intoxicant of any kind were found upon them, they would be liable to a fine of $300, or £60, and perhaps seclusion for some months in the penitentiary. He had been there during two autumns; he was there several weeks last autumn, and, therefore, could speak from experience. He took a flask of whiskey in case he should need it under special circumstances, but he was happy to say that he returned with the flask unscrewed. There, again, they had an illustration of how men could go through an enormous amount of work without having any need of intoxicants, under conditions in which one might have to face many hardships, and it might be the cruellest of all camp followers—starvation. And not only in the camp, but on the railway works of the country, the same thing was to be seen. On the great works of the Canada and Pacific Railway, where, in one place, he spent several days in a camp of 4,000 or 5,000 persons, not one of the workmen had any drink except coffee, cocoa, &c.; not a drop of intoxicating liquor was consumed by them; and yet those men worked very hard—worked in a way, in fact, of which the working classes in England were ignorant, the labour being performed with a celerity that was unknown in Europe. Those instances alone were proof that people could live and work well and happily without the use of intoxicating liquors. But now he must turn to the other side of the picture. What was the great desire of these men? They were kept from having any stimulant by a law enforced by the exertions of the finest Force that ever lived—the mounted Police Force of Canada, men who seemed to sniff across the prairie a drop of whiskey. These men could get no drink; but the dream of their life was of the day when they would get back into the city, and have their big drink of whiskey. They were made sober *pro tem*, but they could scarcely be said to have been educated into sobriety. They would have their drink, and he had heard of fellows stewing down tobacco in their tea, throwing in a couple of bottles of "Pain Killer," and then selling the mixture, although the men who drank it knew that it would render them senseless and almost paralyze them. Therefore, although he conceded that men could do without drink, by compelling those people to abstain from drink, they did not make them sober; and even, notwithstanding the vigilance of the police, liquor was procured and consumed to an extent which produced very sad consequences, not among the Indians—the liquor never reached them—but among the Whites and Half-breeds. He wished to put this matter plainly before the House, because, anxious as they were in the cause of temperance, anxious as they were to moderate the liquor traffic, depend upon it experience had shown that you might close the doors of the public-houses without making the people sober. The proper way to make them so was by the best example and precept; but it was impossible to do so by any such legislation as was now proposed. If this system were adopted, he would remind the Secretary of State for the Home Department that a far greater and more energetic Police Force—a force as vigilant as the mounted police he had spoken of—would be required than at present existed. In a sparsely populated country, such as he had described, it was most difficult; in a thickly populated country it would be impossible. To enforce such a law would entail domiciliary visits by the police, which the people of this country would never put up with. House to house visitation would be required, and then they would find that an amount of secret drinking would result which would make the population far worse than they were under a system of licensed houses under an efficient inspection by the police.

Mr. J. N. RICHARDSON: Sir, I feel diffident in speaking on this subject, in this House, and for two reasons—first, because it is the first time I have opened my mouth on any but local Irish subjects; and, secondly, because the matter has been rendered threadbare throughout the United Kingdom, and I am not so vain as to think I can contribute anything novel or especially interesting. I am here, however, to-night, to say, so far as my experience of the locality in which I live goes, it is a subject which is gathering in force and importance every month—I might almost say every day. It is gathering force not only amongst the well-clad, the well-fed and aristocratic, but more particularly amongst the poor, lowly working classes. More than that, this House to-night seems to me to be a very faithful mirror of the feeling of the country on the subject. The good humoured quips and jokes which used to be cast at my hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) from the other side of the House, and at which I used to laugh long before I ever dreamed that I should have the honour of a seat in this House, are now conspicuous by their absence. We have none of those jokes that we used to hear; but, on the contrary, as we are all glad to see, hon. Members on the other side of the House seem, if possible, to be more anxious to advance the cause of temperance than the hon. Baronet himself. I say that in no taunting spirit whatever. I say it with feelings of extreme satisfaction and extreme pleasure. One or two hon. Gentlemen, however, seem more hostile than others to the Resolution on the Paper, and it is satisfactory to observe that one of the two, who have spoken in the most hostile spirit, had the courage and candour to confess that he spoke in antagonism to the wishes of his own constituents. Now let me ask, is the Notice Paper of this House any reflection of the interest which is taken in this Resolution, and in kindred subjects? We have two Sunday Closing Bills for England; we have two Sunday Closing Bills for Ireland; we have one Sunday Closing Bill for Cornwall, one for Durham, one for Yorkshire, and one for the Isle of Wight, and all of them waiting for their turn to be discussed in this House, and only stopped because the champion blocker of the United Kingdom of Great Britain and Ireland stands in the way.

Mr. WARTON: I must interpose to say, Sir, that I have not blocked any one of these County Bills mentioned by the hon. Gentleman.

Mr. J. N. RICHARDSON: I named no names, Sir. I said, the champion blocker of Britain and Ireland.

Sir STAFFORD NORTHCOTE: Will the hon. Gentleman say to whom he did allude?

Mr. J. N. RICHARDSON: Unless called upon by the Chair, I must refuse. If the Leader of my own Party desires it I will give the name. ["Oh, oh!"] I beg distinctly to say to the hon. and learned Gentleman the Member for Bridport (Mr. Warton) that, in the remark I made, I meant no discourtesy to him or anyone else. I have had some experience of what might be termed Local Option, and I think I shall be justified in mentioning that experience to the House. I believe I am correct in stating that, in every village in Ireland of 500 inhabitants and upwards, there are a number of men quartered, who I believe are quite equal even to the mounted police of Canada—I allude to the Royal Irish Constabulary. In every village, a barrack for the accommodation of this semi-military police is erected. In every village of the size I have named and larger, except one—which you in England would call a village, but which we on account of our sparse population are apt to call a town —of 3,500 inhabitants, which is very near the place of my residence, they have these barracks. That town or village is no paradise, as I happen very well to know. I am not prepared to say that there are not *bonâ fide* travellers residing there, who, on Sundays, make Sabbath-day journeys; but out of that 3,500 inhabitants, not five paupers annually go to the neighbouring workhouse, not five illegitimate births take place there per annum. Through the action of the proprietors, no public-house is allowed within that district. That is the point which I wish to bring before the House, and I leave the House to deduce any argument it chooses from it. Well, Sir, that may be termed by some hon. Gentlemen local despotism, and not Local Option, and the proprietor of the district was taunted with the fact. The result, however, was this. A canvass was made of the place, conducted by ballot, without any influence being brought to bear one way or the other. The vote was taken in the presence of two magistrates, one belonging to each political Party. Some 300 householders voted for the condition of things remaining as it was —that is to say, for no public-house to be erected within the locality—and 50 voted for public-houses being allowed. Sir, I believe that, on account of long custom, we are in the habit of taking as a matter of course that a large amount of pauperism, crime, and drunkenness exists among the community. I cannot but believe, however, that if temptation were taken out of the way, we should very rapidly get accustomed to a better state of things throughout the country, and that brings me more especially to the Resolution on the Paper to-night, and I hope the House will forgive me if I have wandered from it. It is a difficult thing—at least we find it so—for benches of magistrates to take on themselves the responsibility of dealing with public-houses in such a way that temptation shall be lessened to the degree that may be necessary. I believe that many magistrates would be glad of some authority, either to guide them—I speak of my own neighbourhood—either to guide them, or to take the responsibility in the matter out of their hands altogether. I listened with great pleasure to the speech of my hon. Friend the Member for Preston (Mr. Ecroyd) the other night, in which he spoke of his great knowledge of the working classes. Although I quite agree my hon. Friend has the knowledge he claims, I will not yield to any hon. Member of this House in a knowledge of the working classes in the North of Ireland. The working classes in the North of Ireland are a strange and conglomerate gathering. Hordes of barbarians from England and Scotland invaded our shores some centuries ago, displacing or mixing with the Native population; but English, Scotch and Irish, as they are in the North of Ireland, they send, out of 29 Representatives in this House, 23 who are pledged not to vote against the Resolution of my hon. Friend (Sir Wilfrid Lawson), while most of them are pledged to vote in its favour. Now, Sir, a challenge has been thrown out to us by the hon. Gentleman the Member for North Wilts (Mr. Long) in regard to the question of compensation. That is a question which I think the hon. Member for Carlisle has very wisely avoided; and, I conceive, it is not part of my business this evening to meet the challenge of the hon. Member. I, however, feel very strongly, and feel, perhaps, in contradistinction from my hon. Friend the Member for Carlisle, that when a measure placing the granting of public-house licences in the hands of the ratepayers, or the people themselves, is brought in by the Government—and that it will be speedily introduced I sincerely trust—the question of compensation ought to be seriously considered. Personally, I shall be ready to give due consideration to every interest which has been created by past legislation, because I believe we should act in this matter temperately and justly.

MR. CROPPER: It seems to me, Sir, we have a little wandered from the subject before the House; and although I confess to have been much edified by what has been said about cocoa and coffee-houses, and about the state of affairs in Canada, and other places, I think we may turn for a few minutes to the Resolution, and consider, amongst other things, the way in which it has been met from the Front Bench. Anyone in the House, who is accustomed to meet his constituents, knows full well that the subject which we are discussing to-night is perhaps the most interesting he can bring before a public meeting. It is so, because everyone thinks he knows something about the subject, and thinks he has something to recommend. Working men, especially, know that to them and their wives and their households, it is almost the one question which affects their comfort and their well-being. Those who are at all acquainted with the matter know very well that the happiness, security, and prosperity of localities, I think I may go further and say the prosperity of the country, depends upon this question very much more than upon any other social question which can be raised. The hon. Member for Liverpool (Mr. S. Smith) devoted his remarks to one very important branch of the subject—namely, that of finding a market for the manufactures of this country, and for increasing the home trade of our great communities. I believe no one can exaggerate the improvement and the advantage to England which will be gained when the money now spent, indeed wasted, by the working clases, is invested in the various manufactures which are produced by our fellow-countrymen. I will, however, leave that point and turn for a few moments to the real question before the House. It appears to me that the change of jurisdiction from the Justices to any Elective Board is a serious question. My hon. Friend the Member for Carlisle (Sir Wilfred Lawson) has almost treated this as if it is a perfectly straightforward measure; he appears to think there should be a number of representatives who should meet together to discharge the sole duty of choosing those who are to sell intoxicating drinks. I do not think he has ever contemplated, and I doubt if he has thoroughly understood, what will be the effect of giving that power to bodies who are elected as Municipalities chose their representatives, or as County Boards, presuming the scheme for such Boards is adopted, will be elected.

SIR WILFRID LAWSON: I never advocated a Licensing Board. My Resolution makes no mention of such a thing.

MR. CROPPER: I conclude my hon. Friend means that the public would exercise their functions through the Elective Boards, or something of the kind?

SIR WILFRID LAWSON: No, no; not at all.

MR. CROPPER: In whatever way the hon. Baronet thinks the public may express their opinion, it is generally supposed it will be through Municipal Corporations or Boards of Guardians or Elective Boards in counties, and I hope the Government will very well consider such a measure before they bring it forward. I, for my part, am not all at one with the idea that a mere body elected for the government of a town or a locality, such as a Corporation in towns, or Elective Boards, if we ever get them, in counties, will be any better than the existing authority—namely, that composed of Justices. The House listened with interest to the speech of the hon. Member for Kilmarnock (Mr. Dick-Peddie). The hon. Gentleman expressed his own opinion, and I doubt not, that of all thoughtful Scotchmen, upon the policy of giving licensing power to Elective Boards in Scotland. Although the hon. Gentleman was hopeful as to the effect of the proposed change here, I think we ought to consider, whether we, in England, should be in any better position, if licensing jurisdiction were exercised by men who are elected for hundreds of other purposes as well, than we are now. We all know, in our separate localities, that, whatever else the Justices do, they do bow a good deal to the growing opinion of the communities in which they live. In my own borough, and in all places where temperance opinions are growing, the feeling of the Justices to restrict licences grows more and more. In the borough I represent (Kendal), and I think the same may be said of many other places, the number of licensed houses has diminished enormously—in Kendal, I believe, there are now only about half the number of public-houses there were when I first knew the town. Such being the case, it is evident that public opinion has had its effect. The Licensing Justices are not an elected body. Public opinion, no doubt, would more quickly manifest itself in the case of an elected body, though it is possible that, at one time, it might take a moral turn, and, at another, just the opposite. I should be sorry to withdraw the power from the Justices and give it to a Municipal authority, unless the Municipal authority were simply a second authority, by whom the Justices' decisions might be considered and by whom even the number of licences granted by the Justices might be restricted. I do not know whether the right hon. Gentleman the Secretary of State for the Home Department has considered any such proposal; but I trust the right hon. Gentleman will take good counsel, and consult the evident sense of the House, before the measure dealing with the matter is finally adopted. I am a little afraid that the views of my hon. Friend the Member for Carlisle may be, perhaps, as little in harmony with the measure to be brought in, as they are with the existing system of licensing by Justices. Though I say that, I feel very strongly that we are coming to a time when here, as in our Colonies and in America, public opinion must be the one deciding rule upon all these questions, and I think that opinion will be altogether in favour of the spread of temperance and the decrease of public-houses. Therefore, I look forward with great interest to the measure which has been foreshadowed to-day from the Treasury Bench, and though I do not suppose it will meet the views of a very large section in the House, I hope it may become law, and that we shall be thankful for the protection it will afford.

SIR STAFFORD NORTHCOTE said, he was not at all disposed to question the wisdom of the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) in bringing forward his Motion. But, for his own part, although he thought it was open to some observation whether it was desirable, year after year, to pass abstract Resolutions, which were not likely to produce any immediate results, he must, in candour, acknowledge that there had been good service done by an occasional debate upon this question. Undoubtedly, in the course of such debate, it was of advantage to have expressions of opinion from hon. Gentlemen sitting in all parts of the House, and representing all the different shades of opinion, in favour of these serious and earnest steps being taken to promote the spread of temperance, and to check intemperance; and that night, as on former occasions, there had been a very general expression, throughout the House, of a desire to act together in that matter; or rather, he should say, to act in that matter, for when it came to the question of acting together, he was afraid they could not say there was the same entire unanimity with regard to the means of action as there certainly was as to the object itself. He could quite understand that if there were, on the part of the Government of the day, or any other Government, an indisposition to deal with this question, it might be the duty of its strenuous advocates to bring it forward, from time to time, in order to press the adoption of a principle not acknowledged. Or he could understand that, if, the principle having been acknowledged, there were delay in acting on that principle, Motions might be made, for the purpose of quickening the action of the Government; or, on the other hand, it would be very intelligible for the promoters of the movement to come forward with some practical suggestions. But they had heard nothing of that kind to-night. They had a Government which, for the last two years, had more and more decidedly accepted the proposal of the hon. Baronet. In the first year of this Parliament, the Prime Minister felt himself unable to vote in favour of the Resolution, or, in fact, to vote at all, although some of his Colleagues voted in favour of it. The Prime Minister, in an interesting speech, stated his agreement with the general principles of the hon. Baronet, but pointed out the great difficulties which lay in the way of its application. On the last occasion that the question was before the House, the Prime Minister advanced a step; but then he voted against it. But there was then a disposition on the part of the Government to deal with the matter. Now the Government said they were prepared to accept the language of the hon. Baronet. That was a matter on which the hon. Member was to be congratulated; but whether he would get anything more out of it than the acceptance of the Resolution he (Sir Stafford Northcote) greatly doubted. The conduct of the Government in accepting a Resolution of that sort, when, at the same time, it was perfectly evident that they took a very different view of the action to be taken on it than that suggested by the Mover, was, he would not say un-Parliamentary or unjustifiable, but, at all events, not likely to produce any great amount of satisfaction in the minds of hon. Members. It looked very much as if they were disposed to ask the hon. Baronet and his supporters to accept the will for the deed, and be satisfied with general professions in place of practical proposals. Of course, the difficulties in the matter were extreme. That had been acknowledged by everybody who looked into the question, unless they were prepared, as the hon. Baronet seemed to be, to meet those difficulties by a summary and trenchant measure. The hon. Baronet told the House that he was in favour of the measure brought forward by the hon. Member for Kilmarnock (Mr. Dick-Peddie); but was that a measure which the House or the Government was likely to adopt, or the country would be prepared to adopt? They must consider what sort of provisions were in that Bill. A certain number of persons, being householders, might mark out any district they pleased, and if they got it acknowledged, they might then propose a vote by which the district would bind itself, for ever, to make it penal in that district to sell, barter, exchange, or dispose of intoxicating liquors. What the meaning of disposing of liquors was he would not say. But were they to understand that that was the sort of legislation to which the hon. Baronet inclined; and that, if they voted for the Resolution, they were pledging themselves to that mode of dealing with the subject? He listened with great interest to the speech of the hon. Member for Liverpool (Mr. S. Smith); and he gathered from that speech that his view of Local Option was that there was to be a power given to certain bodies to make plans similar to those suggested by the hon. Gentleman the Member for Kilmarnock. The effect of such a measure would be that the Option would be exercisable in one direction only; and, therefore, he (Sir Stafford Northcote) was not prepared to accept a Resolution worded in that way. He was not at all disposed to offer any discouragement to any *bonâ fide* efforts for the extension of temperance. He rejoiced at everything he heard which proved that there was a real *bonâ fide* progress in that direction in many parts of the country; but, on the principle that one volunteer was worth 10 pressed men, he preferred voluntary efforts to those which were involuntary. One instance of voluntary adoption of temperance principles was worth a great many instances of enforced and involuntary temperance. He was, therefore, undoubtedly, not at all indisposed to assist in giving consideration to any legislation that might be proposed, in a reasonable and serious manner, for the purpose of giving effect to legislative restrictions on intemperance; and though he did not say it contained everything that might be required to be done in the matter, the proposals that were made in the Report of the Committee of the House of Lords were very valuable and practical as regarded suggestions for dealing with the question. Those were matters that might be profitably examined into; but they were shelved, for the sake of passing a general Resolution of a very ambiguous nature, which could be translated by different people in different ways. He would say nothing against the debate itself. It had been both interesting and useful, and many valuable facts and considerations had been imported into it; but he did not feel that he was able, on that occasion, to vote for a Resolution which left untouched the difficulties of the question entirely, and which did not attempt to deal, either with the kind of body which was to have the power of enforcing those restrictions, or with the great question of compensation. The hon. Baronet offered no solution of those difficulties, but asked them to adopt a Resolution which, in reality, was a Resolution almost entirely in the air. Under those circumstances, he should be disposed to vote as, upon most occasions such as that, it had been the custom of the Government to vote. He meant this. Here was an Order of the Day for going into Committee of Supply; an Amendment was proposed to that Order, and on that Amendment an interesting discussion had taken place, during the course of which the Government had made certain overtures, and explained partially the views which they entertained, but to which they did not intend to give immediate effect. In such circumstances, it appeared to him that the natural conclusion from that was that the Order of the Day should be proceeded with, and that either the Mover of the Motion should be asked by the Government to accept the assurances that had been given, or, if he would not, the Government should vote for what was really "the Previous Question"—namely, for going into Supply. What the Government were likely to do he would not say. They had very odd and new ways of dealing with Questions and Motions on going into Supply. For his own part, the vote he meant to give was that which he should have thought would have been the natural outcome of their own deliberations; and he desired it to be understood that it was not given against any attempt to deal with the question of temperance, but with a full acknowledgment that the question was one which ought to be, and might be, dealt with. It was given because there was nothing practical proposed to solve the difficulties of the question.

Mr. GLADSTONE: I will not detain the House for many minutes. I do not altogether disclaim a community of feeling with the right hon. Baronet opposite (Sir Stafford Northcote) in some of the remarks he has made. I agree with him that the Government are placed in some degree in a false position in voting against their own Order of the Day. But, at the same time, it must be borne in mind that this is a case which should and must have been foreseen by those who recommended and procured the establishment of the present very peculiar system, under which, not for the exigencies of the Government, but to meet the convenience of the House, the Order of Supply is moved upon every Friday to provide that every Member should have an opportunity of moving such Amendments as he pleases. It is quite evident that those who procured the adoption of such a plan, by no means free from inconvenience, but which still has had the sanction of the House for many years, never could have expected or intended that, however completely the Government might agree with the Motion made by way of Amendment, they were bound to vote against it. That is the nature of the dilemma which is presented in this matter, and it constitutes an anomaly in the order of our proceedings. Still, I must say that, as a general rule, while we do not at all dissent from the doctrine that the Order of Supply may be taken as a form of moving the Previous Question, yet I think if the Government are of opinion that the time has arrived when the Motion may be adopted in the sense thus put upon it, we are justified in giving our assent to the proposal. I am entitled to speak as to the position of the Government with respect to this Motion, because I never yet voted for it as I shall have to vote to-night. I have voted on other occasions for the Order for going into Committee of Supply on the ground, not that I was opposed to the substance of the Motion—because I have always claimed to be an advocate of the principle of Local Option—but I have voted for the Previous Question, or for going into Committee of Supply, because I said I was not prepared with a plan for applying the principle of Local Option; and I think it is a bad practice for the Government to vote for any abstract Resolution to which it is not prepared, as far as its own views and convictions are concerned, to give effect. It is by that test I intend at the present moment to be guided in giving my vote for Local Option. My right hon. and learned Friend the Home Secretary has explained, in the clearest manner, that the views of the Government are settled in this matter. We are not in favour of deciding Local Option by means of a *plébiscite*, and we are not in favour of creating a separate local authority for the purpose of settling that question and no other. But we are strongly in favour of creating all over the country—as is already done to a considerable extent in municipal boroughs—trustworthy representative bodies commanding the confidence of local communities; and to those trustworthy bodies, so chosen for local purposes, we desire to commit the high and important function of determining this question. That being so, hon. Members will, perhaps, ask me why we do not bring in a Bill on the subject. We might bring in a Bill, and we might throw it on this Table. We have the power, I admit, under the present Rules of the House, to bring in a Bill on any subject, and we might obtain the consent of the House to our proposals, and we might obtain the first reading of such a Bill. But our doctrine is this—that no real advance would be made by such a course unless we had some reasonable prospect of carrying forward such a Bill in its several stages. We have no such prospect. I need not dwell upon the unsatisfactory condition of the House, which has now continued for many years, and which, unfortunately, still continues, with disadvantages increasing on the whole, although mitigated, in many important respects, by the measures taken last year. But, still, the difficulties are of the most formidable character, and that man must be sanguine indeed who could expect that some considerable time would not elapse before the House can find itself thoroughly abreast of its duties, and not in the rear of them. It is absolutely on that account, and not because we are not prepared with proposals, that the Government do not ask the House to take into consideration measures for the establishment of Local Option. It is, in our view, an essential part of the principle of Local Option, both in regard to the Metropolis and to the country generally. We admit that a void exists, and that that void is to be filled up; and it is in order to fill up that void that we have proposed provisions which we think will meet the desire of the country with respect to the difficult question of Local Option. Whether we may fully meet all the desires of my hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) and my hon. Friend the Member for Scarborough (Mr. Caine), I would not undertake to say. It is impossible every day to apply the principles which in common we want. We may not be fully agreed as to the application; but in this I feel assured—that we shall be able to make proposals which will command from all the Members of the House who are sensible of the existing evils, and desirous of applying a remedy, despite the varieties and shades of different opinions, an admission that they contain the elements of valuable and substantial reform. I think it is not an unfair thing to say that, although I own I am by no means enamoured of the method of declaring in advance the things which we wish to do, but things which at the moment you know we cannot do. But the occasion has not been created by us; it has been presented to us; and we are no longer in a condition, although we have hesitated before, to resist the adoption of the words of the hon. Baronet, because, agreeing with him as to the portentous evils which exist, and agreeing with him that a remedy may be found, we also agree with him that a remedy ought to be found within the terms in which he has thought fit prudently to embody the Resolution which he has submitted to the House.

Sir R. ASSHETON CROSS: I have been somewhat surprised to hear the speech of the right hon. Gentleman, and to find the difference in the conclusion he has arrived at in 1883 from that which he came to in the year 1880. This Resolution was brought forward in 1880 almost in the same terms as at present; and I should like to remind the House of the speech which the Prime Minister made then. The Prime Minister said on that occasion—

> "I shall not follow my hon. Friend into the Lobby; and I may tell him at once frankly the reason that will lead me to pursue the course which he hinted at as probable on my part."—(3 *Hansard*, [253] 362.)

Then the right hon. Gentleman states, as one of the reasons why he was glad to avail himself of the Motion, that it was brought forward on a Friday night, just as it is to-night; and that by going against the Resolution—I will read his own words—

> "My hon. Friend will also perceive that I have a greater facility in adopting the course I proposed to take, because the Forms of the House require my hon. Friend to bring on his Motion as an Amendment to Supply, which enables me to deal with him very much as if the Previous Question were raised."—(*Ibid.*)

If the right hon. Gentleman was willing to vote for the Previous Question in 1880, he ought to explain why he is not ready to vote for it in 1883. I know the Prime Minister makes so many speeches that he must forget some of them; but I should like to ask the right hon. Gentleman how it was that he voted for the Previous Question in 1880 and that he does not take that course in 1883, because that is a question of vital importance? One of the reasons brought forward for not voting for the Motion of the right hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) in 1880 was this—I will again read the words of the right hon. Gentleman—

> "I do not want my hon. Friend to commit himself upon that point; but I want a frank recognition of the principle that we are not to deny to publicans, as a class, the benefits of equal treatment, because we think their trade is at so many points in contact with, and even sometimes productive of, great public mischief. Considering the legislative title they have acquired, and the recognition of their position in the proceedings of this House for a long series of years, they ought not to be placed at a disadvantage on account of the particular impression we may entertain—in many cases but too justly—in relation to the mischiefs connected with the present licensing system and the consumption of strong liquors as it is now carried on. Having said this much, it is unnecessary for me to follow my hon. Friends into the argument which they are more competent to conduct than myself; but a few words I will say expressive of my general sympathy. My hon. Friend the Mover of the Amendment read at the close of his speech from the Report of the Committee of the House of Lords a very striking passage; and I am bound to say that, individually, I do not think there is a word in that passage which I am not prepared to adopt. My difficulty in this case is not the ordinary difficulty of a Government—namely, the want of time and the recent time since we assumed Office—it is the intricacy with which the question itself is surrounded. I do not as yet see my way to any particular measure by which just effect can be given to the principle of my hon. Friend."—(*Ibid* 363.)

Now, what I want to know is whether the right hon. Gentleman sees his way any better than he did then to a solution of the difficulty? He has shadowed out some question of local government; but that is no solution at all of the equitable terms on which these persons are to be dealt with when their trade is interfered with by legislation. The Prime Minister has endeavoured to escape from the statement he made in 1880, and he has not offered the slightest explanation to the House as to why he differs now from the views which he took in 1880. If he is prepared to bring forward a measure which would conduce to temperance in this country, I, for one, would heartily support him; but he must remember what he stated in 1880, that it must be an equitable arrangement, and he has not said one word in the speech he has just made to show what in his view would be an equitable arrangement. As the Prime Minister voted in 1880 upon this question against the Resolution, so I am not to be considered, and those who vote with me are not to be considered, as giving a vote in the least degree against any legislative measure which may be produced in favour of temperance. I endorse every word the Prime Minister said in 1880. The opinions we hold with respect to temperance are the same as those expressed in the Report of the Lords Committee on intemperance. It is necessary that I should read an abstract from that Report to the House, and for this reason —because, for political purposes, hon. Members of this House are misrepresented elsewhere. [*Cheers from the Liberal Benches.*] I am glad to hear that cheer, because no one is more ready to promote the cause of temperance in this country than my right hon. Friend the Member for North Devon (Sir Stafford Northcote) and myself. We are both ready to do all we can that may legitimately promote the cause of temperance; and as the House allowed the hon. Baronet (Sir Wilfrid Lawson) in 1880 to read this passage, I hope the House will allow me to read it again now—

> "When great communities, deeply sensible of the miseries caused by intemperance, witnesses of the crime and pauperism which directly spring from it; conscious of the contamination to which their younger citizens are exposed; watching with grave anxiety the growth of female intemperance on a scale so vast and at a rate of progression so rapid as to constitute a new reproach and danger; believing that not only the morality of their citizens, but their commercial prosperity, is dependent on the diminution of these evils; seeing also that all that general legislation has been able to effect has been some improvement in public order, while it has been powerless to produce any perceptible decrease of intemperance; it would seem somewhat hard when such communities are willing, at their own cost and hazard, to grapple with the difficulty, and undertake their own purification, that the Legislature should refuse to create for them the necessary machinery, or to intrust them with the necessary powers."

I entirely agree with every word in that passage; and I want to ask why the Prime Minister and the Government, relying upon that statement of the Committee of the House of Lords, do not follow the recommendations of the Committee, which, I think, are very much more sensible and practicable, and would carry out very much better all we can desire than the Motion of the hon. Member for Carlisle (Sir Wilfrid Lawson)? All I can say is, that if some practical measure were proposed by the Government in accordance with the recommendations of that Committee, I would be the first to support it; and it must not be supposed that, in voting against the Motion of the hon. Member, I am voting against the cause of temperance any more than the Prime Minister did in 1880, when he voted against the Resolution, and I voted with him.

MR. EDWARD CLARKE said, that, of course, he would not for a moment interpose in the debate, but that he had a personal right to be heard for a few moments before it closed. Some hours ago, when the right hon. and learned Gentleman the Home Secretary was addressing the House, he challenged the correctness of the assumption upon which the right hon. and learned Gentleman based part of his argument; and, having given that challenge, he had taken every opportunity of rising in his place to justify the challenge. The Home Secretary had declared that there now existed a form of Local Option, inasmuch as the licensing power rested with the magistrates, who could license or not just as they pleased. [Sir WILLIAM HARCOURT dissented.] The right hon. and learned Gentleman certainly made a statement to that effect, and he (Mr. Clarke) took down the words at the time. The right hon. and learned Gentleman said that—

> "The magistrates could exercise the power, and say whether the number of public-houses should be many or few, or none at all."

Now, the licensing system was established for the purpose of giving the magistrates control over those who carried on the liquor trade, and the magistrates had no option of refusing or granting licences. If the magistrates refused licences indiscriminately, they would be liable to an appeal to the High Court of Justice, which could interfere, and which had already interfered, to compel them to hear evidence as to whether the wants of the inhabitants in respect of the number of public-houses in existence was satisfied. The magistrates did not exercise the same authority which they would be able to exercise if Local Option existed; but they were using it under judicial discretion, and they were liable to be controlled by the High Court of Justice if they did not take into consideration the wants of the neighbourhood. If those wants were proved, the magistrates had no more right to refuse a licence than they had to refuse a summons.

Mr. BULWER said, he was not going to detain the House long, to quote from any speeches, or to endorse any opinions; but he simply wished to ask a practical question, which he dared say had exercised the minds of many Members of that House. During the past month he had been inundated by applications from his constituents imploring him to be in his place to support the Motion of the hon. Baronet in favour of Local Option. The answer he had given, and which probably many other Members had given to similar applications, was that when the hon. Baronet, or the Government, or any authority, placed before him in black and white what was meant by Local Option, then he should be happy to give his opinion, and say whether he would support it or not. So far as the present Resolution was concerned, voting for it might be taken to be voting for anything or nothing; and he was anxious to ascertain before he gave his vote what he was giving it for, and what significance would be attached to it. If by voting for the Resolution he was to be taken as agreeing with the views of the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson), that by the vote of some majority, the minority were to be deprived of the liberty of selling or obtaining what the hon. Baronet was pleased to call intoxicating drink, he certainly should vote against the Resolution. He was opposed to that proposal altogether, on the simple principle that he was not going to punish the sober man for the sake of those who were not sober. One would imagine, from the language made use of by the advocates of this Resolution, that the law compelled a man to get drunk, and left him no option in the matter. They had heard from the Government, from the Home Secretary, and from the Prime Minister, what the views of the Government were. The Prime Minister told them very candidly that the Government might have placed on the Table a Bill embodying their views, and that was just what he (Mr. Bulwer) wanted to see before he voted. When he saw the views of the Government embodied in a Bill in black and white, he would be able to form his opinion upon it. The Prime Minister excused himself from placing such a Bill upon the Table, because he said there would probably not be time that Session to give effect to it. He could understand that there were many plausible reasons why the Government should do nothing in the matter—one was that it would no doubt be very inconvenient to pledge themselves in black and white to a particular opinion, as in that case it would be impossible, even if they desired, to recall it. He wanted to know whether any Member of the House could tell him what pledge he would be giving to his constituents by voting for the Resolution? If he voted against it, his conduct was liable to misinterpretation by one Party; and if he voted for it, it was liable to misinterpretation by another.

Mr. TATTON EGERTON (who spoke amid loud calls for a division, which rendered his remarks almost inaudible) was understood to say that the Resolution purported to be brought forward for the sake of persons who were too weak to look after themselves. The Prime Minister had made a suggestion to the effect that the future control of the licensing of public-houses should be, like the municipal affairs of a county, in the hands of the persons who were to be appointed on the Local Board. He did not think that that was a proper mode of dealing with the question; and he certainly was of opinion that they had not a very favourable example of the good government afforded to them by the Municipal Councils, and he did not know that people elected in that manner would be the proper persons to exercise this power. The Prime Minister, and the hon. Baronet who brought forward the Resolution, meant by Local Option that every borough, every village, and every small township should have the power of deciding whether the inhabitants were to have the supply of liquor free or not; but, nevertheless, the right hon. Gentleman the Prime Minister suggested that that power should be delegated to a County Board, which would have upon it representatives from every part of the country. He (Mr. Tatton Egerton) thought that was an anomaly, and that it would not fulfil the desires of the inhabitants of small localities, nor would it fulfil the conditions of Local Option. Adverting to the operation of the Maine Liquor Law in America, he asserted that its provisions were evaded in every way, and there was no hotel in the State of Maine where a man could not retire privately and have his liquor. He was afraid that if they meant by Local Option the power of restricting the sale of liquor and free and open drinking, the result would simply be secret drinking; and when the bottle was once open, it was quite certain that it would not be left until it was empty. He had no objection to prevent those who could not take care of themselves from falling into evil ways, and he was quite as anxious as anybody to promote temperance; but he protested against any proposal to force people into habits of secret drinking.

Question put.

The House *divided*:—Ayes 141; Noes 228: Majority 87.—(Div. List, No. 73.)

Question proposed,

"That the words 'the best interests of the Nation urgently require some efficient measure of legislation by which, in accordance with the Resolution already passed and re-affirmed by this House, a legal power of restraining the issue or renewal of Licences for the Sale of Intoxicating Liquors may be placed in the hands of the persons most deeply interested and affected —namely, the inhabitants themselves' be there added."

Sir JOHN KENNAWAY said, that after having performed the unwonted office of Government Teller, he was afraid he must trouble the House by moving another Amendment, stating that in the view of the House there was nothing practical in the Resolution submitted to them; and it was his desire, and that of many who thought with him, to place on record their views of the proper course to be pursued.

Amendment proposed to the said proposed Amendment,

To leave out from the word "Nation" to the end of the Question, in order to add the words "require that effect be given to the recommendation of the Lords Committee on Intemperance, and that instead of placing the licensing power entirely in the hands of a body elected by the popular vote, provision be made for strengthening the hands of the local magistrates,"—(*Sir John Kennaway*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the said proposed Amendment."

Sir WILLIAM HARCOURT: I am glad that the hon. Baronet opposite has brought the matter to an issue, because his principles and ours are directly antagonistic. I think there can be no mistake as to the character of the vote which will be taken on this Amendment. We have stated that in a question so deeply affecting the interests of all classes of the community the popular voice should be able to decide. The hon. Baronet absolutely denies that that should be the case. He says that the licensing power ought not to be placed entirely in the hands of a body elected by the popular vote. What he affirms, and what he prefers, is that the power ought to be exercised by strengthening the hands of the magistrates. Now, that is a fair issue—namely, whether the question is to be decided by the people or by the magistrates; and that is exactly the issue we desire to come to. The hon. Baronet says he wishes to strengthen the hands of the magistrates. Some complaint has been made to-night about vague propositions; but can anything be more vague than an assertion of that kind, "that the hands of the magistrates ought to be strengthened?" How does the hon. Baronet propose to strengthen them? In my opinion there is only one way of strengthening the hands of the authorities in this country, and that is by giving them the support of the popular voice. [*Ironical Cheers from the Opposition.*] I know that this is not the principle of hon. Members opposite. It is not their principle to support authority by the popular voice. For certain purposes, in my opinion, the magistrates are the best and only authority. I refer to judicial questions. In my view nothing can be more evil to the community that to draw a distinction between the judicial and the administrative functions of the magistrates. This is not a question whether public-houses should be many or few, or none at all. It is not a judicial question, but a social question, and an administrative question, and a question which does not properly come within the functions of the magistrates. Who is most likely to be able to judge what a community requires? Is it a body elected by the community itself, or the magistrates? Hon. Gentlemen opposite are of opinion that the magistrates would be the best body; but Her Majesty's Government are of opinion that a body elected by a community would best fulfil the wishes and desires of the community. I will only add that we are very well satisfied with the issue that has been raised by the hon. Baronet, and we hope that the House will decide the question without delay.

Mr. WHITLEY said, he was sorry to hear the view which was taken of the Amendment by the right hon. and learned Gentleman the Home Secretary. They were both anxious to promote the cause of temperance, and he had been connected for years with a popular body, and his experience was probably greater in connection with Municipal Councils than that of most hon. Members. But it must be borne in mind that a Municipal Council did not exist for more than a certain number of years; and he should look with regret to any legislation upon this question which became subject, from time to time, to popular election. His conviction was they would find that one body elected one year would not be the same body elected hereafter; and he was afraid that the licensing question, placed in the hands of such a body, would necessarily cause bitterness of feeling. What the magistrates would desire, if the matter were intrusted to them, would be the opportunity of effecting useful reforms. No doubt, the licensing question was very much at the discretion of the Magisterial Benches, and sometimes it was supposed the people had no right to go before them, and that they would not listen to the representations made to them. He thought they could strengthen the hands of the magistrates by making it compulsory to listen judicially to the representations of the people. If that were done, he thought it would materially strengthen the hands of the magistrates. Unfortunately, the hands of the magistrates had been tied down, and there had been a large increase of licensed houses. It was felt a matter of grievance by the magistrates of Liverpool that when they decided to refuse a licence, an appeal was invariably made, not to the Judges or to any judicial body, but to the county magistrates, who could not possess the same local knowledge as the magistrates of the City of Liverpool. He was quite sure that if the popular voice were brought to bear upon the magistrates, the magistrates would listen to that popular voice. He trusted that the House, before entering upon this scheme, which he believed would be detrimental to the interests of temperance, would carefully consider the proposal for strengthening the hands of the magistrates. He spoke as one who had for years worked in the temperance cause, and who was desirous of serving the best interests of the working classes. He could conceive nothing so detrimental to the interests of temperance as having an elective body appointed year after year; and he believed that the experience of a few years would render confusion worse confounded, and that they would find this vexed question one of the most difficult problems of the day. He hoped the House would not rashly accept the proposal of the hon. Member for Carlisle (Sir Wilfrid Lawson). He believed if they were to strengthen the hands of the magistrates they would have some guarantee that the voice of the people would be heard and listened to, and that was what they wanted. If they had a popular body elected by the popular vote, there would be constant contests between the publican on the one hand and the Temperance Party on the other, and a difficulty would arise which it would not be easy to deal with. On this ground he had great pleasure in supporting the Amendment.

Mr. O'DONNELL said, he thought that before the House went to a division on the subject they ought to receive some explanation of the extraordinary statement that had just been made by the Home Secretary. He certainly thought that that statement required to be explained by higher authority than that of the right hon. and learned Gentleman himself. The statement made by the right hon. and learned Gentleman was that the only way to strengthen the hands of the authority was to make it dependent upon the popular voice. That statement, coming from the Treasury Bench, had carried dismay into the minds of Members who might have otherwise been disposed to vote against the proposition of the hon. Baronet the Member for East Devonshire (Sir John Kennaway); and it seemed to him (Mr. O'Donnell) that a statement by way of explanation was required, in order to bring the principles advanced by the Home Secretary back to something like consonance with certain acts of Her Majesty's Government. He wanted to know how or where they were to find anything in support of that statement of the right hon. and learned Gentleman either at home or abroad; and he sincerely hoped that the task of explaining and justifying it would not be felt above even the explanatory powers of the Prime Minister himself. Unless his doubts were removed he should feel reluctantly compelled to vote for the Amendment.

Question put.

The House *divided*;—Ayes 206; Noes 130: Majority 76.

## AYES.

Acland, C. T. D.
Alexander, Colonel C.
Allen, H. G.
Allen, W. S.
Anderson, G.
Archdale, W. H.
Armitage, B.
Armitstead, G.
Arnold, A.
Asher, A.
Ashley, hon. E. M.
Baldwin, E.
Balfour, Sir G.
Balfour, rt. hon. J. B.
Balfour, J. S.
Barclay, J. W.
Baring, Viscount
Barran, J.
Barry, J.
Bolton, J. C.
Borlase, W. C.
Brand, H. R.
Brassey, H. A.
Brett, R. B.
Briggs, W. E.
Bright, J. (Manchester)
Bright, rt. hon. J.
Broadhurst, H.
Bruce, rt. hon. Lord C.
Bruce, hon. R. P.
Bryce, J.
Buchanan, T. R.
Burt, T.
Buxton, F. W.
Cameron, C.
Campbell, Sir G.
Campbell, R. F. F.
Campbell-Bannerman, H.
Carbutt, E. H.
Cavendish, Lord E.
Chamberlain, rt. hn. J.
Cheetham, J. F.
Childers, rt. hn. H.C.E.
Cohen, A.
Collings, J.
Colman, J. J.
Corbet, W. J.
Corry, J. P.
Cotes, C. C.
Creyke, R.
Cropper, J.
Crum, A.
Cunliffe, Sir R. A.
Currie, Sir D.
Dalrymple, C.
Davies, D.
Davies, R.
De Ferrières, Baron
Dickson, T. A.
Dilke, rt. hn. Sir C. W.
Dillwyn, L. L.
Dodson, rt. hon. J. G.
Dundas, hon. J. C.
Edwards, H.
Edwards, P.
Farquharson, Dr. R.
Ferguson, R.
Ffolkes, Sir W. H. B.
Firth, J. F. B.
Fitzmaurice, Lord E.
Fitzwilliam, hon. C. W. W.
Flower, C.
Foljambe, C. G. S.
Forster, rt. hon. W. E.
Fort, R.
Fowler, W.
Fry, L.
Fry, T.
Gabbett, D. F.
Gladstone, rt. hn. W.E.
Gladstone, H. J.
Gladstone, W. H.
Gordon, Lord D.
Gordon, Sir A.
Gourley, E. T.
Gower, hon. E. F. L.
Grant, Sir G. M.
Grant, A.
Grey, A. H. G.
Grosvenor, Lord R.
Hamilton, J. G. C.
Harcourt, rt. hon. Sir W. G. V. V.
Hayter, Sir A. D.
Henderson, F.
Heneage, E.
Herschell, Sir F.
Hibbert, J. T.
Holden, I.
Hollond, J. R.
Holms, J.
Howard, E. S.
Howard, G. J.
Illingworth, A.
Inderwick, F. A.
James, C.
James, W. H.
Jardine, R.
Jenkins, Sir J. J.
Jenkins, D. J.
Kennard, Col. E. H.
Kensington, Lord
Kinnear, J.
Labouchere, H.
Lambton, hon. F. W.
Lea, T.
Leake, R.
Leatham, E. A.
Leatham, W. H.
Leeman, J. J.
Lefevre, rt. hn. G. J. S.
Lloyd, M.
Lusk, Sir A.
M'Arthur, Sir W.
M'Arthur, A.
Mackie, R. B.
Mackintosh, C. F.
M'Lagan, P.
Macliver, P. S.
Mappin, F. T.
Marriott, W. T.
Martin, R. B.
Maskelyne, M. H. Story-
Maxwell-Heron, J.
Mayne, T.
Molloy, B. C.
Monk, C. J.
Moreton, Lord
Morgan, rt. hn. G. O.
Morley, A.
Morley, J.
Morley, S.
Noel, E.
O'Connor, A.
O'Shea, W. H.
Palmer, C. M.
Palmer, G.
Palmer, J. H.
Parker, C. S.
Pease, Sir J. W.
Pease, A.
Peddie, J. D.
Pender, J.
Philips, R. N.
Portman, hn. W. H. B.
Potter, T. B.
Powell, W. R. H.
Power, J. O'C.
Pugh, L. P.
Ralli, P.
Ramsay, J.
Ramsden, Sir J.
Rathbone, W.
Reed, Sir E. J.
Rendel, S.
Richard, H.
Richardson, J. N.
Richardson, T.
Roberts, J.
Rogers, J. E. T.
Russell, Lord A.
Russell, G. W. E.
Rylands, P.
St. Aubyn, Sir J.
St. Aubyn, W. M.
Samuelson, B.
Samuelson, H.
Sellar, A. C.
Shaw, T.
Sheridan, H. B.
Shield, H.
Slagg, J.
Smith, E.
Smith, Lt.-Col. G.
Smith, S.
Spencer, hon. C. R.
Stevenson, J. C.
Stewart, J.
Storey, S.
Summers, W.
Tavistock, Marquess of
Tennant, C.
Thomasson, J. P.
Tracy, hon. F. S. A. Hanbury-
Trevelyan, rt. hn. G. O.
Vivian, Sir H. H.
Vivian, A. P.
Waddy, S. D.
Walter, J.
Waugh, E.
Webster, J.
Whitworth, B.
Williams, S. C. E.
Williamson, S.
Wilson, I.
Wodehouse, E. R.
Woodall, W.

### TELLERS.

Caine, W. S.
Lawson, Sir W.

## NOES.

Allsopp, C.
Bailey, Sir J. R.
Balfour, A. J.
Baring, T. C.
Barttelot, Sir W. B.
Bass, Sir A.
Bass, H.
Bateson, Sir T.
Beach, rt. hn. Sir M. H.
Bective, Earl of
Bellingham, A. H.
Bentinck, rt. hn. G. C.
Birkbeck, E.
Blackburne, Col. J. I.
Boord, T. W.
Broadley, W. H. H.
Brodrick, hon. W. St. J. F.
Brooke, Lord
Brooks, W. C.
Brymer, W. E.
Bulwer, J. R.
Burnaby, General E. S.
Buxton, Sir R. J.
Callan, P.
Campbell, J. A.
Cecil, Lord E. H. B. G.
Christie, W. L.
Clarke, E.
Clive, Col. hon. G. W.

Compton, F.
Coope, O. E.
Cotton, W. J. R.
Cross, rt. hon. Sir R. A.
Cubitt, rt. hon. G.
Davenport, H. T.
Davenport, W. B.
Dawnay, Col. hn. L. P.
Dawnay, hon. G. C.
Digby, Col. hon. E.
Dixon-Hartland, F. D.
Douglas, A. Akers-
Dyke, rt. hn. Sir W. H.
Eaton, H. W.
Egerton, hon. A. de T.
Emlyn, Viscount
Estcourt, G. S.
Ewing, A. O.
Feilden, Maj.-Gen. R. J.
Fellowes, W. H.
Filmer, Sir E.
Fletcher, Sir H.
Floyer, J.
Forester, C. T. W.
Foster, W. H.
Fowler, R. N.
Fremantle, hon. T. F.
French-Brewster, R. A. B.
Galway, Viscount
Gardner, R. Richardson-
Goldney, Sir G.
Gore-Langton, W. S.
Grantham, W.
Halsey, T. F.
Hamilton, right hon. Lord G.
Hamilton, Lord C. J.
Hamilton, I. T.
Harcourt, E. W.
Harvey, Sir R. B.
Hay, rt. hon. Admiral Sir J. C. D.
Herbert, hon. S.
Hicks, E.
Hildyard, T. B. T.
Hill, A. S.
Hinchingbrook, Visc.
Holland, Sir H. T.
Hope, rt. hn. A. J. B. B.
Hubbard, rt. hon. J. G.
Knightley, Sir R.
Lawrence, Sir T.
Lechmere, Sir E. A. H.
Legh, W. J.
Leigh, R.
Lennox, Lord H. G.
Lever, J. O.
Levett, T. J.
Lewisham, Viscount
Long, W. H.
Lopes, Sir M.
Lowther, hon. W.
Lyons, R. D.
M'Garel-Hogg, Sir J.
Master, T. W. C.
Mills, Sir C. H.
Moss, R.
Murray, C. J.
Newdegate, C. N.
Nicholson, W.
Northcote, rt. hon. Sir S. H.
Northcote, H. S.
Onslow, D. R.
Percy, Lord A.
Phipps, C. N. P.
Phipps, P.
Raikes, rt. hon. H. C.
Ritchie, C. T.
Rolls, J. A.
Ross, A. H.
Salt, T.
Scott, M. D.
Selwin-Ibbetson, Sir H. J.
Smith, rt. hon. W. H.
Smith, A.
Stanhope, hon. E.
Stanley, rt. hn. Col. F.
Thornhill, T.
Tollemache, hn. W. F.
Tollemache, H. J.
Tomlinson, W. E. M.
Torrens, W. T. M'C.
Tottenham, A. L.
Warburton, P. E.
Warton, C. N.
Welby-Gregory, Sir W. E.
Whitley, E.
Williams, Gen. O.
Wilmot, Sir H.
Wolff, Sir H. D.
Wortley, C. B. Stuart-
Wroughton, P.
Yorke, J. R.

TELLERS.
Kennaway, Sir J. H.
Talbot, J. G.

Main Question, as amended, put.

*Resolved*, That the best interests of the Nation urgently require some efficient measure of legislation by which, in accordance with the Resolution passed and re-affirmed by this House, a legal power of restraining the issue or renewal of Licences for the Sale of Intoxicating Liquors may be placed in the hands of the persons most deeply interested and affected, namely, the inhabitants themselves.

## CUSTOMS AND INLAND REVENUE BILL.—[Bill 140.]

(*Sir Arthur Otway, Mr. Chancellor of the Exchequer, Mr. Courtney.*)

### COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Deputy Speaker do now leave the Chair."—(*Mr. Chancellor of the Exchequer.*)

Mr. J. G. HUBBARD said, he rose to call attention to a subject which he thought had been somewhat neglected, and to obtain from the House an expression of opinion as to the inconvenience under which the country laboured with regard to the existing systems of assessment for both Local and Imperial purposes. He would first briefly lay before the House an history of the course of legislation with regard to Local Assessment. So far back as 1836, a Bill was passed, of which the object was to establish a uniform mode of rating for the relief of the poor and other cognate purposes, and the principle therein laid down was one which lay at the base of all similar legislation—namely, that the annual value of the hereditament was to constitute the rating, a reduction being made for the cost of maintenance. In 1862 a Bill was introduced in order to establish a Union Assessment, which would very greatly facilitate the introduction of a uniform system. That Bill was passed, and in the year 1867 a Valuation of Property Bill was introduced, which was meant to apply to the whole country. It did not, however, pass that year, but was referred to a Committee. In 1869 a Valuation of Property Bill was again introduced as a general measure for the whole country. It did not pass; but in the same year the Valuation Bill for the Metropolis was introduced and became law. He wished to call the attention of the House to the fact that since the year 1869 a perfect system of valuation and assessment for local purposes had existed in the Metropolis, but had existed nowhere else in the country. General Valuation Bills were again introduced in 1873, 1876, 1877, 1878, and lastly in 1879; and in every one of those Bills the object was to establish one uniform system of assessment, and to bring property under one valuation both for Local and Imperial purposes. He called attention to the fact that the degree of uniformity which prevailed in the Provinces, owing to the introduction of the Bill of 1867, had been absolutely dissipated, in consequence of the Bill itself never having become law. The result of this was that more confusion and discrepancy in the system of rating throughout the country existed now than there was before the Valuation Bills were introduced. The amount of the discrepancy would be perceived when the House was aware of the difference between the value for assessment for Local purposes and the value for assessment for Imperial purposes. In the Metropolis, where the Valuation Act of 1869 had been in force, the amount charged with Income Tax under Schedule A was (in 1880-81) £29,194,442; and for Local Rates under the gross valuation the amount was £29,173,569. But there was a great difference with regard to the other parts of the country. In all the rest of England the amount assessed to Income Tax was £124,453,737; whereas the gross amount assessed to the relief of the poor was only £113,060,820. That was a discrepancy highly unsatisfactory in its aggregate, but, when examined in detail, really monstrous. For instance, under the assessment of the Local Valuation Board, in the county of Anglesea the difference of the gross valuation for Local Rates was no less than 26 per cent under the amount charged with Income Tax under Schedule A; whereas in the county of Cumberland there was only a difference of 3 per cent. That was a monstrous discrepancy to exist in what ought to be a uniform system of valuation for Local and Imperial purposes. Having shown, he hoped, to the satisfaction of the House, the discrepancy which existed with regard to Local purposes, he would mention very briefly the inequalities which existed with regard to the Income Tax. It was perfectly well known that in assessing land for Local purposes a reduction was made of 10 per cent; but the Income Tax was levied on the full amount. In the assessment of houses for Local purposes, a reduction was made of 20 per cent, and mills and factories were entitled to an abatement of about 30 per cent; but the Income Tax was levied upon the gross annual value of each. All these were inequalities which pressed severely upon the people. There was, however, one kind of property which suffered more than all the rest, and that was land. Land, as everybody knew, was at this time unfortunately very heavily embarrassed; in fact, he believed he was within the mark in saying that one-half of the rental of England did not now go into the hands of the nominal owner, but into the hands of the encumbrancer. No allowance was made for this state of things by the Income Tax Commissioners. Suppose a man had an estate worth £2,000 nominally, but worth, after paying deductions, £1,800. Suppose, further, that the owner had given a mortgage on the property, the interest of which was £1,600, having £200 a-year himself; he had, nevertheless, to pay Income Tax upon £400. The landlord in this way paid a double Income Tax. This was a monstrous hardship, a hardship which pressed upon land very severely indeed at the present time. He believed there were many properties of which the rents could not even pay the mortgage interest, and of which the owners had still to pay Income Tax upon their outgoings. He did not think he need say more to prove to the House how exceedingly unjust the Income Tax was in its incidence. In his opinion, no better tax could be devised than the Income Tax, providing only that it operated equably and justly. As an Income Tax, it should take from everybody's income a certain percentage. Nothing could be more equitable than that principle. If the tax gave extreme dissatisfaction the reason was not to be found in the fact that it was a tax on income, but in the unscientific way in which it was administered. The purpose of his remarks up to this point had been to show that real property was grossly overcharged in respect to Income Tax. He now came to another grievance—namely, that of the trading and professional classes. These classes were charged upon their full receipts, just as if they were so much money in the funds. Was that reasonable? Everybody knew that a trader or a professional man did not spend every farthing he earned. It might be the man had a wife and family, and that to make provision for them in case of his death he put away one-third of his income. Upon that one-third he ought to be exempt from payment of Income Tax. There was only one point more upon which he had to comment, and that was that if the improvements in administration which he so very greatly desired were carried out, they would arrive at this most satisfactory result—that the taxes for all Local and Imperial purposes would be assessed upon the same amount. The taxes, in fact, might be combined in the same demand note, and collected by the same collector. The expense of collection would be decreased, and the new arrangement would be a relief and a convenience to the taxpayer; he would have far fewer payments to make. Every one of the changes connected with the improved administration would be an advantage to the community, to the Exchequer, and to the administration of the tax itself. They would have, in fact, if the system were carried out, economical administration, simplicity of statement, equity in the whole construction of the tax, and contentment in the taxpayer. Why did he make this Motion? His right hon. Friend the Chancellor of the Exchequer knew well that nothing could be further from his desire than to annoy or embarrass the Government. He had felt it his duty to offer the result of an experience of many years on a subject of this kind, and to tender in a most friendly and earnest spirit to the approval of the House a Motion which, if it were adopted, might assist the Chancellor of the Exchequer in the construction of some scheme which would satisfy all equitable and scientific principles, might put an end to the evils of the present administration, and might place the taxation of the country upon a reasonable and satisfactory footing. The right hon. Gentleman concluded by moving the Resolution of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House earnestly commends to Her Majesty's Government the provision of a general Valuation Bill (in extension of 'The Metropolis Valuation Act, 1869'), and the adjustment of the Income Tax, so as to bring Local and Imperial Taxes under the same principle of assessment, a more effective administration, and under a simpler and more acceptable system of collection,"—(*Mr. J. G. Hubbard,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS), said, his right hon. Friend had, in very few and very appropriate words, made two suggestions to the House. The first suggestion was that the principles of the Metropolis Valuation Act should be extended to the whole country; and the second suggestion was that the Income Tax should be levied on the net, and not on the gross. As to the first suggestion, he entirely agreed with the right hon. Gentleman. It would be most desirable, and it would be one of the most useful works that the Government could set themselves to do, to extend the principles of the Metropolis Valuation Act to the whole of the country. No doubt, there was nothing more inconvenient than that property should be differently valued for the purposes of Imperial and Local Taxation, as was the case at the present time. In that respect, therefore, he was at one with the right hon. Gentleman; and he hoped that before many years were over the principles of the Metropolis Valuation Act would be extended to the whole country. They were, he believed, extended to Scotland; but he was not sure whether they were extended to Ireland. The second proposal of his right hon. Friend was of a very different character to the first. It was that, whereas at present, Income Tax was levied on the gross, and local rates on the net, in future both Income Tax and local rates should be levied on the net. That was a question which had been discussed in past years. It was a subject which was inquired into by a Committee. After a very long inquiry, and a very careful consideration of the proposal of the right hon. Gentleman, the Committee rejected the proposal, and left matters as they were. Having only been in his present Office three months, he could not hold out any encouragement as to the adoption of the latter part of his right hon. Friend's Resolution. He would promise, however, that he would consider the question. He could certainly not adopt the Resolution now; and he hoped, therefore, that the right hon. Gentleman would not think it necessary to put the House to the trouble of dividing.

SIR STAFFORD NORTHCOTE said, he entirely agreed with the view the right hon. Gentleman the Chancellor of the Exchequer took with regard to the question of valuation. The extension of the principles of the Metropolis Valuation Act to the whole country had been long desired; and if it could be accomplished a great improvement would be effected. It was just one of those matters which took some time to settle, and one of those useful and practical measures which did not, in the midst of other Business, receive that attention which they deserved. He hoped the time would shortly come when the question could be seriously taken in hand, for it was unquestionably a matter which demanded settlement upon a sound basis. It would be an enormous convenience, and a great step towards any improvement in the system of Local Taxation and Imperial Taxation as well, if they could accept the right hon. Gentleman's (Mr. Hubbard's) suggestion as a foundation for all measures of reform. It was always in the contemplation of the late Government, and more than one Bill was drawn on the subject. It was, however, one of those unfortunate Bills which were crushed out by the competition of other Business. With regard to the second branch of his right hon. Friend's (Mr. Hubbard's) observations, which did not find a place in the Motion printed on the Paper, he (Sir Stafford Northcote) agreed that it was a question of very much importance, and one to which the right hon. Gentleman had given so much study, that whatever fell from him in regard to it deserved respect and attention. He (Sir Stafford Northcote) had never been able to see a way out of the difficulty with which the proposal was surrounded. He remembered quite well the conclusion to which the Committee were forced to come in the matter. He did not say that the subject might not be, from time to time, renewed and discussed; but he had never yet heard or seen any proposal which would have the result the right hon. Gentleman so much desired.

MR. RAMSAY said, he hoped that the promise of sympathy with the right hon. Gentleman (Mr. Hubbard) in his anxiety to secure a uniformity of valuation of all property, which the right hon. Gentleman the Chancellor of the Exchequer had made, would not expire without bearing fruit, and that on an early day the Government would take the question in hand, and devise a means by which a uniform valuation could be obtained. He (Mr. Ramsay) took an interest, during the last Parliament, in assisting the Bills which were introduced by the late Government for the purpose of securing a just valuation of all property in the country, and in aiding the right hon. Baronet (Sir Stafford Northcote), who had gone the length of accepting the principle of a uniform valuation which was provided for in the law relating to Scotland. Since 1854 the valuation of all property in Scotland had been uniform; whereas in every parish in England the valuation of property differed, and the discrepancy was getting worse every year. Nothing could be more detrimental than a variation in the system of valuation; and an equitable incidence of Imperial or Local Taxation could never be secured until there was a uniform system of valuation applicable to all parts of the country. The law and practice of England ought to be assimilated to that of Scotland. The present state of things worked great hardship to the people of Scotland. For instance, while all real estates in Scotland paid one uniform sum, in England the taxation varied to the extent of many millions; there was a difference, he believed, of about £103,000,000 in England, as against £136,000,000 in Scotland. In other words, in England they paid *5d.* in the pound, while what was paid in Scotland was equal to *6d.* in the pound. It was not a creditable thing that the poorer country should be called upon to bear the heavier burden, simply because various Governments would not take the trouble to do the justice of securing a uniform system of valuation. He saw nothing in the state of England and Scotland which required that the system of taxation should be different. He trusted that on an early day steps would be taken to secure the result desired.

SIR WALTER B. BARTTELOT said, this was an Amendment which deserved the very careful consideration of the House. They were told, upon the responsibility of the Government, that if they passed the new Procedure Rules, and established Grand Committees, they would be allowed to go to bed at a reasonable hour; and yet they were now asked at 1 o'clock in the morning, many hon. Members having sat on Grand Committees, and others on Select Committees, since 12 o'clock yesterday, to consider one of the most important Bills of the Session. He protested most strongly against the proceedings which were now going on, because he felt certain it was utterly impossible that proper attention could be paid to any of the subjects they were called on to discuss. He did not know what course his right hon. Friend intended to pursue; but if he persisted in his Amendment, he (Sir Walter B. Barttelot), unless he got an assurance from the Chancellor of the Exchequer that all he intended that night was that they should go into Committee *pro formâ*, should certainly vote for that Resolution.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS) said, he had no right to speak again except with the leave of the House. If they would grant him their indulgence, however, he wished to state that what, at half-past 4 that day, he undertook to do was not to take any opposed clauses—he did not say he would not dispose of the unopposed clauses. The first part of the Bill was unopposed, the clauses being merely formal; and after they were agreed to he should not proceed further with the Bill that night.

MR. HICKS desired further information from the Chancellor of the Exchequer as to what he meant by "unopposed" clauses? He saw that there was an Amendment on the Paper to Clause 7, which was in the first part of Bill.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): Clause 7 is one of the opposed clauses, which it is not proposed to take to-night.

MR. HICKS said, that, under the circumstances, then he would confine his remarks to the Motion or Amendment of the right hon. Gentleman below him; to that part of it which referred to one assessment for Parochial and Imperial purposes. This was a question which had been before the country for a very considerable time, and which had been introduced into the House on several occasions. Every time the proposal that Government officials should interfere in these matters had been brought before the county he represented (Cambridgeshire), the feeling of the taxpayers had been almost unanimously against the introduction of these gentlemen into Local Boards and Local Assessment Committees. He, therefore, felt it to be his duty to oppose this Resolution as regarded the establishment of anything like a joint valuation for Parochial and Imperial purposes.

MR. RYLANDS said, that when the Conservatives were in Office no one would have protested against the course now proposed more loudly than Members of the present Government. He entirely agreed with the hon. and gallant Baronet (Sir Walter B. Barttelot) that it was a most unfortunate thing that they should be called on, after half-past 12 o'clock at night, to discuss the Resolution of his right hon. Friend (Mr. Hubbard), which was of an extremely interesting character, deserving the serious consideration of the House. The right hon. Gentleman had proposed, no doubt, an important change in the assessment of land, asking that it should be assessed for Income Tax on its net instead of its gross value; and the Chancellor of the Exchequer, without giving his right hon. Friend much encouragement, had intimated that he might at some future time carefully reconsider the matter. To his (Mr. Rylands's) mind, whenever the Income Tax was dealt with it would be absolutely necessary that the different classes of incomes should be dealt with, in order to give the relief that was required. The question which should be gone into was a much wider one than that raised by his right hon. Friend; and what he desired was this—that if the Income Tax was to be a permanent tax the House should set itself the task of seeing whether they could not put it in a more satisfactory position. There was, no doubt, a great amount of dissatisfaction in the country amongst people who were paying the tax. He would not attempt at that time of night to go into the matter, and he should not oppose the Motion for the Deputy Speaker to leave the Chair if the Chancellor of the Exchequer insisted on it; but he regretted that they should be called upon to go into this matter at so late an hour.

MR. J. G. HUBBARD said he would appeal to the Chancellor of the Exchequer to know whether he should withdraw the Amendment.

The CHANCELLOR of the EXCHEQUER (Mr. Childers): Yes.

Mr. J. G. HUBBARD said he would do so; but the Resolution was no Order or Instruction to the Government. It was only an expression of a desire on the part of the House that this very important subject should be considered. Surely it was not an unreasonable thing to ask that the question should be considered in all its bearings. However, if the Chancellor of the Exchequer would promise that the recommendation on the Paper should be considered by the authorities of the Local Government Board and of the Inland Revenue he should be satisfied. He knew what he was saying in that recommendation; the scheme was practical and just; and if the Chancellor of the Exchequer would say that he would loyally give consideration to it he would withdraw the Amendment.

The CHANCELLOR of the EXCHEQUER (Mr. Childers): I have said more than that. I have said that as to one part I agree with it; and that, as to the other, before this time next year I will look most carefully into it.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Deputy Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Part I.—Customs and Excise.

Clauses 1 to 3, inclusive, *agreed to.*

Clause 4 (Alteration of date of expiration of certain game licences).

Mr. MONK said, he wished to ask a question as to this clause. Was it intended that certificates, which would, in the ordinary course, lapse on the 5th instant, should be valid until the 31st of July of this year? If it was, the intention was hardly carried out in the clause. The gamekeepers' licences would, in the ordinary course, expire on the 5th of the month.

The CHANCELLOR of the EXCHEQUER (Mr. Childers) was understood to say that he would carefully consider the wording of the clause again before the Report.

Clause *agreed to.*

Clause 5 *agreed to.*

Clause 6 (Alteration of date of expiration of Gun Licences, 33 and 34 Vict., c. 57).

Mr. MONK said he should, on the next stage, have to ask some questions in regard to this section.

The CHANCELLOR of the EXCHEQUER (Mr. Childers) said, the two clauses the hon. Member referred to ran together. He would speak to those who had drafted the Bill, and if it was found that there was a difference in the matter it would be altered on Report.

Clause *agreed to.*

Committee report Progress; to sit again upon *Monday* next.

House adjourned at a quarter after One o'clock till Monday next.

---

# HOUSE OF LORDS,

*Monday, 30th April,* 1883.

MINUTES.]—Public Bills—*Second Reading*—Court of Chancery of Lancaster* (43).

*Committee*—Oyster and Mussel Fisheries Orders Confirmation* (33).

*Committee — Report* — Mersey River (Gunpowder)* (46).

*Third Reading*—Contempts of Court* (45); Tramways (Ireland) Provisional Order (Extension of Time)* (28), and *passed.*

## LAND LAW (IRELAND)—LANDLORDS UNDER THE IRISH LAND ACT.

### MOTION FOR AN ADDRESS.

Lord ORANMORE and BROWNE, in rising to move—

> "That an humble Address be presented to Her Majesty praying Her Majesty to appoint a Royal Commission to inquire whether the Irish landlords have sustained any loss owing to the working of the Irish Land Bill of 1881; and, if so, the amount of such loss; and to report whether according to legal precedent and justice they are not entitled to compensation for such loss,"

said, he must ask the indulgence of their Lordships while he stated the reasons why they should agree to the Motion. At the same time, he thought that no apology was necessary on his part for bringing this important subject under the notice of the House. The subject was one of the greatest importance, and of vital interest to many of the most loyal of Her Majesty's subjects. To begin with, declarations made, both by the Prime Minister and the Bessborough Commission, made it clear that the landlords of Ireland came forward with clean hands in this matter, the former having given it as his opinion that "the landlords of Ireland have been on their trial, and, as a rule, have been acquitted;" while the latter had placed the fact what in England would be considered upon record that "it is unusual to exact full and fair commercial rent." The landlords, therefore, were free of any accusation of taking an unfair advantage of their tenants and exacting a rack rent. That the Act of 1881 had involved substantial loss to the landlords there could be no doubt. In the course of the discussions on the measure two years ago, the Prime Minister, the Lord President, and the Lord Chancellor, and other Members of the Government, had, indeed, most distinctly stated that there would be little or no reduction in rents; but these anticipations had not been realized, though he did not question the honesty of the opinions at the time they were expressed. When this question was brought before the House last year, the Lord President stated that the reductions would not continue, as they had taken place on a few high-rented estates; but, there again, the opinion of the noble Lord had not been realized. It was on these unfulfilled anticipations that the Bill of 1881 was passed; and their Lordships would see, therefore, that in all fairness and justice there was a legitimate cause for inquiry as to whether compensation was not due to the landlords. The Prime Minister, in referring to Mr. Parnell's claim that substantial reduction should be made in landlords' rents, stated "he could not distinguish between substantial reduction and public plunder." He would show that substantial reduction had taken place, and he asked for the inquiry to prevent public plunder. The Return of the action of the Land Court during the last three months of 1882 showed that there had been an average reduction, over all parts of Ireland, of 21 per cent; and when they remembered that that was a reduction from the net income of the landlords they would see how serious was the loss, because their taxes, payments, and other charges, continued exactly the same as they were before. But the loss did not end here, because a Return of the Landed Estates Court showed that property in Ireland was very unsaleable at present; so that if a mortgage was called in it was impossible to borrow money. Thus it was quite certain that many unfortunate families, who had committed no crime, would be reduced to absolute penury and want. With regard to the claim to compensation under these circumstances, the Prime Minister, in 1870, said this—

> "The Legislature has, no doubt, the perfect right to reduce him to that condition" (that of a rent charger) "giving him proper compensation for any loss he may sustain in money. . . . if it think fit."—(3 *Hansard*, [199] 351.)

And only last year he used this expression—"Landlords have a right to claim to have the loss that may be proved to be caused by the change in the law made good to them at the public expense." He was sure the State would not wish to act on any other principle, or take away the property of any one class without giving compensation. In all Bills dealing with private property for public purposes, a clause was inserted obliging the promoters to pay for such property under the Lands Clauses Consolidation Act; and it was only owing to the acceptance of the repeated assurances of the Prime Minister and other Members of Her Majesty's Government that no loss would accrue to landlords under this Act that a similar clause was not inserted in this Bill. All that he asked their Lordships was to press Her Majesty to grant an impartial tribunal by which the losses sustained by the landlords of Ireland could be ascertained and redressed; and he did not see, looking at the precedents, how the Motion could be refused. What were the precedents in this matter? There was the Act of 1833, by which slavery was abolished, and regarding which Mr. Gladstone had said that while slavery was opposed to all English feeling, yet, as slavery had been accepted by law, it was only just and fair that compensation should be granted to the slave owners. £20,000,000 were granted in that case as compensation, of which the family of the right hon. Gentleman received £100,000. That was in respect of property in slaves. Looking at that precedent, he did not see how compensation could be refused to the Irish landlords. In the matter of the Disestablishment of the Irish Church, full compensation was also granted to the clergy for their life interest; and again, on the abolition of Purchase in the Army, compensation was ganted to the officers to the amount of £12,000,000 or £14,000,000. In the matter of the changes which it was proposed to make in the licensing system, the principle that compensation should be granted to those who fairly sustained loss was accepted by the President of the Board of Trade. Again, in the case of change in the collection of the Income Tax, those who would be deprived of their situations were to receive compensation, though they held their places only during pleasure. Compensation had been, or was to be, granted in those cases because it was honest and just; and why should it be refused to Irish landlords? Another case in which compensation was paid by Government was that of the Alabama Claims, for the injury which that vessel did to American commerce. For a long time the noble Earl the Secretary of State for Foreign Affairs and his Predecessor altogether repudiated the principles of International Law on which the claims were made; but the American Government insisted on the abrogation of all former rules, and under new rules the case was referred to arbitration, with the result that a sum was granted by the Government, which exceeded, he believed, by one-half the sum that the American Government received claims for. The American Government had force behind them; the landlords of Ireland had not, and they must trust in the justice of Parliament. Under the circumstances, he would ask their Lordships and the Government to decide fairly and justly, and to deal with the landlords of Ireland on the principle that they had observed in dealing with the property of Her Majesty's subjects in every other part of the country. He hoped the Government would put aside all considerations of Party, and would assent to the Motion which he now begged to move.

*Moved*, "That an humble Address be presented to Her Majesty praying Her Majesty to appoint a Royal Commission to inquire whether the Irish landlords have sustained any loss owing to the working of the Irish Land Bill of 1881; and, if so, the amount of such loss; and to report whether according to legal precedent and justice they are not entitled to compensation for such loss." — (*The Lord Oranmore and Browne.*)

The Earl of LONGFORD said, his noble Friend had proved his case, in so far that he had shown that the landlords of Ireland had suffered much loss under the operations of the Land Act; but he was afraid his noble Friend was kicking against the pricks in asking for anything in the shape of direct compensation for an interest which had been injured by the Liberal Party. There were, however, public charges which pressed heavily and unfairly upon some classes in Ireland, and which ultimately came upon or affected the landlords, that should be dealt with. These charges included the interest paid on advances for the construction of railways and the instalments of drainage loans and land improvement loans, and they might be more equally distributed among the different classes, or reduced without serious loss to the Revenue. Since the Act of 1881 these charges, which were formerly distributed, now fell upon the landlords—that was, the improvements went to one class, and the charges to another. With regard to the minor drainage of the country, the so-called "improving tenants"—who were, it was said, going to do so much when they were relieved of the heavy hand of the landlords—had, in fact, ceased to make improvements, and were ruining their neighbours and themselves by neglect of ordinary works of maintenance. Lately, a case was before the Land Commissioners sitting at Naas, and it came out in evidence that lands were becoming deteriorated in consequence of the tenants neglecting the drainage. It was there stated, not by a landlord or agent, but by two Sub-Commissioners sitting in Court, that one of the most serious problems would be how they were to keep open the drainage of the country; and if some means were not found, the drains would be choked up, and lands would become worthless. He feared that with many tenants reduced rent would mean reduced production, to the loss of the community. The idea that rent was not a fair and just obligation, and was rather to be regarded as an odious tax, had been industriously circulated in Ireland, and the seed had fallen on such good ground that the opinion was now generally adopted. Country shopkeepers very often also held farms; they managed their trade concerns on commercial principles, but would not understand the rent of their farm to be met as a bill at six months. Even religion took side in this unfortunate controversy. He did not speak of the action of certain authorities in the Roman Catholic Church; but other forms of religion sympathized in the movement. He had heard of a case where a new valuation upon a large estate was unfavourable to the tenants, and the local preacher the next Sunday addressed his congregation upon the text—"The rent is made worse." There were certain conditions which were essential to the success of small farming; they were, good markets, good communications, and an industrial population of skilled agriculturists ready to work long hours; and all these conditions were wanting in Ireland, except in certain special localities. They must, therefore, fall back upon emigration, not the cruel banishment that had been described, but emigration judiciously promoted and encouraged by the Government; a judicious movement from places where it was now impossible to live, to places where the conditions of life were more favourable, and they must look for compensation more to indirect than to direct results.

VISCOUNT MIDLETON said, he believed that it was at first the honest conviction of the Government that no injury would accrue to any fair-minded landowner from the operation of the Land Act of 1881; but he did hope that before the discussion closed they might have from some Member of the Government an admission that their expectations as to that had been disappointed, and that they had been mistaken. He ventured to say that outside the Government there was not a single Member of the House who had the slightest acquaintance with Ireland who was not convinced that the effect of that Act had been to work serious wrong in almost every part of Ireland. He was not going to discuss whether it was right or wrong to pass such an Act; but he wanted to point out, whatever was the intention of the authors, what had been the actual effect of the Act on the class who owned land in Ireland. The fact that there had been a very general reduction, and in some cases a most serious reduction, of rent could not be disputed. He would give the case of a considerable landowner in a Western county, in which the rents had been reduced 40 per cent, and yet those rents were very much as he had found them when he succeeded to the property. He also found charges on the property, and the result was that he was left absolutely penniless. Surely that was a case in which Her Majesty's Government should come forward and endeavour to afford some relief, either by paying off the charges or otherwise, so as to enable some portion of that estate so situated to be saved for the owner. In his case, the effect of the Act had been, so far from doing him no injury, to deprive him of every sixpence he had. He would give another case from a Southern county in which the estate had descended in the family from generation to generation, and in which the rents had had a character for being low. The tenants demanded a reduction of 30 per cent, and the landlord sent over the estate one of his tenants from another part of the country, and the result of his investigation was that, in his opinion, the rents were actually below the fair letting value at the present time; and yet the result would be that that landowner would also be left without one single farthing to live upon. It was exceedingly difficult for any landowner to know what to do. He had known cases in which valuers of practical experience had been sent over the properties by the owners with the simple instruction to put a fair letting value upon the land, and the owners had interfered in no sense whatever; and in every single instance the decisions of those practical men had been utterly upset by the Sub-Commissioners, and a large reduction had been made. Cases had also come before him in which rents which had been paid since the commencement of the century without any remonstrance had been cut down 20 and 25 per cent by the action of the Commissioners. That might or might not be right. But it was utterly impossible that the owner of that property should not consider that he had been injured by that Act. Another injustice was that the value put upon the tenant's interest in his holding was very often out of all proportion to what the actual value was. Within the last month a case had been decided by the Sub-Commissioners in which a farm had been let between four and five years ago at the rent of £50 a-year to a stranger, and had come into the hands of the landlord because of the insolvency of the former tenant. Within four years the tenant had appealed to the Sub-Commissioners, and they had decided that the rent had been and was a fair rent; but when they were called upon to fix the tenant's interest in the holding, they had fixed it at £250, which was exactly six years' purchase. Upon what principle, he asked, was that man, who had only been in the farm four years, entitled to six years' purchase, if the landlord wished to take possession of the land? A third reason for the deterioration of the property was the enormous sums paid by incoming tenants for possession. It was impossible, as everyone knew who was acquainted with the subject, for tenants to farm profitably under such an incubus; and the result generally was that they started considerably in debt for the money expended in purchasing the outgoing tenant's interest. That was his own experience; but he had also qualified that experience by the authority of one of the most experienced land agents in the North of Ireland, a gentleman who managed property, the rental of which amounted to £80,000 per annum. He had assured him that not only did the tenant borrow the money in the first instance to acquire the outgoing tenant's interest, but often had to borrow a second time to satisfy the chattel interests of his brothers and sisters in the land, so that the interest he had to pay for these loans obtained from the bank or the gombeen man frequently exceeded the amount he paid for rent. Was it possible that a farmer loaded with such a weight at starting could do justice to the land? And, if not, was it not a distinct injustice to the landlord that the custom should be introduced where it never existed before, and where landlords had spent many thousands to avoid it? Was it not hard that the landlord should find his estates deteriorating year by year in consequence of this power of sale? He knew one case in which a tenant, after only five years' possession, sold his interest for three and a-half years' purchase, and left for America with the proceeds, leaving his successor to invest his savings, not in the land, but in the purchase of this right, when, but for the operation of the Act, he would not have been called upon to pay anything. If the land hunger really were such as the Ministers had described, they ought not to have stimulated it by introducing an enactment which only assisted an unhealthy competition, and benefited nobody except the present tenant. He did not wish to speak of any personal grievance, though he also had his own tale to tell; but this thing was steadily going on, and, for the most part, the small gentry of Ireland were ruined. He would give the House an illustration. Until four years ago a school of which he had some knowledge mustered 60 pupils; there were now seven, and the reason was because the smaller gentry were absolutely unable to give their children a liberal education. If that were the case, the time had come for the Government to take into consideration the position in which they had placed the landowners by their mistaken view of the effects of legislation. If they did not consider the time had arrived for any direct compensation to be awarded them, they certainly had a claim upon the sympathy—he might say, upon the justice—of their Lordships; and he was convinced that the more the matter was investigated by any reasonable and fair-minded man the more ready he would be to admit that the original expectation of the Act had been grievously disappointed, and that the result had been to do injustice to the large body of men whom he was convinced neither the Government nor their Lordships had any intention to injure.

Lord CARLINGFORD (Lord President of the Council): My Lords, the noble Viscount who has just sat down has been very fair in what he has said of the intentions of the Government in framing and carrying out the Land Act of 1881; but he has just concluded a speech which might have been made on the second reading of the Bill. He thinks that because a very important portion of the Bill—the provision for the sale of a tenant's interest—was thereby enacted and has since been carried into effect, this forms some grounds for a claim for compensation to the landlords. The noble Viscount admitted that he knew little of the Province of Ulster, and I think that was evident from the view taken by him of the sale of tenants' interests there. Now, our experience of the Province of Ulster was, to a large extent, what guided us in this matter.

The noble Viscount seems to think that the right of sale of the tenant's interest implies and produces a low rent, while it also deteriorates farms and injures estates; but anyone who knows Ireland, and especially the North of Ireland, is perfectly aware that the fact is exactly the reverse. Our legislation, so far from being based upon theory—upon mere radical theory, as has been said—was based upon experience and upon the best Irish examples; and we know that the system prevailing in Ulster stimulates the industry of the tenant, and produces a state of things in which the farm is better managed, and the tenants more prosperous and contented than in any other part of Ireland. In spite of the occasional abuse of the tenant's right, the fact that the tenant obtains the value of his own interest, so far from reducing the rental in Ulster, has been, to say the least, compatible with a rental which is higher in Ulster, considering the nature of the land, than in any other Province of Ireland. All these facts were thoroughly within the contemplation of Parliament when the Land Act was passed. It is not for the noble Viscount (Viscount Midleton) or the noble Earl (the Earl of Longford) to quarrel with the consequences and to claim compensation; but in my belief the legalized system of tenant right, so far from doing any injury to the landlords, will increase the prosperity of the tenants, and with that the prosperity of the owners themselves. The noble Viscount mentioned two or three calamitous cases where, no doubt, landlords had suffered; but it appeared to me, as I followed him, that they were all but ruined before the Land Act took effect. These cases remind me of those which occurred at the time of the great Irish Famine, when many landlords were absolutely crushed by the public rates and taxes, and afterwards ruined by the forced sales which took place in the Encumbered Estates Court. I believe that those were far more serious cases than any which have occurred now. But, although I much sympathize with those landlords, the noble Viscount did not give us any proof that the Commissioners had violated the Act they administer by reducing rents. He only said these were old rents which had long existed. If there is one thing more clearly ascertained than another, both by the Land Commissioners and by the experience of numbers of Irish landlords, it is that there is many an old rent in Ireland which, although old, is not a fair rent within the meaning of the Act, but a high and excessive one; and, although it may be a presumption in favour of the rent, the mere fact of it having long subsisted is no proof that it is fair and moderate. Some observations were made by the noble Viscount and the noble Earl with which I must feel sympathy as an Irish landlord—that certain concessions or advantages should be given by the Treasury in the way of repayment of public charges. I should be glad to share in those advantages, but I am not authorized to represent the Treasury on that ground. When I come to the Motion of the noble Lord, I must say that I could not help contrasting it with that of the noble Earl near him (the Earl of Dunraven), which came before your Lordships this day week, which was of a useful and practical nature; whereas it appears to me that this discussion is one which can lead to no advantage to those whom the noble Lord represents, or to the House. As I am anxious not to get further than is necessary into the labyrinth of controversy upon this subject, I shall reply to the Motion as briefly as is compatible with respect for the noble Lord. But before I come to it I wish to say that the noble Lord evidently fixes his eyes on one side only of the question; but does he suppose there are no other sides to it? I am not speaking of the tenants' point of view, on which a great deal might be said, but of the landlords'. Has he ever thought of the losses and evils from which the landlords of Ireland may have been saved by the legislation of 1881? Has he considered what the condition of the landlords would have been if the Government and Parliament had turned an absolutely deaf ear to the demand made on them by the whole tenant class of Ireland and the classes dependent upon them? That demand and movement was, no doubt, stained by outrage and crime, and was made use of for their own purposes by those who represent the cause of separation and revolution; but that demand and movement was a perfectly genuine one, founded, we believe, on good and sufficient grounds, and expressing the feeling of grievance and the desire for change by the whole tenant class, including the most loyal, orderly, and law-abiding of the Irish tenant farmers—the tenants of Ulster. And that was a movement so genuine, so universal, so strongly felt, so well based upon facts, that if it had been thoroughly Constitutional, as thoroughly Constitutional and orderly as the Anti-Corn Law agitation, or any other great popular movement, it would inevitably have had its effect upon Parliament, and must equally have succeeded. If we had turned a deaf ear to those demands, what would have been the condition of the landlords of Ireland? Does the noble Lord think that if the Government and Parliament had ignored all these facts they could have secured the landlords of Ireland from one end of the country to the other in the peaceful enjoyment of all their legal rights; that any Government in this or any other country could have permanently secured the landlords of Ireland in the peaceful enjoyment of their legal rights under the old and unreformed condition of the Land Laws? I should like to put that question to the noble Lord, or to any other fair-minded man. If the noble Lord thinks so, I am bound to say I believe he labours under an entire delusion, and it is that delusion which has produced the Motion now before us. As to the Motion itself, he first asks for a Royal Commission—

> "To inquire whether the Irish landlords have sustained any loss owing to the working of the Irish Land Act?"

I am not quite sure what the noble Lord means by "loss." If he means to use the word in the way of comparing the condition of the Irish landlords under the Land Act with what it would have been without the Land Act, not comparing their condition with an ideal Ireland, but taking the Ireland of 1881, with all the facts of the case and all the dangers before them—if he means that kind of comparison, or means to use the word "loss" in that large sense, then, of course, it is not a question to be inquired into by a Royal Commission. If, on the other hand, he uses the word "loss" in the mere sense of a reduction of rent, as I believe he does, then I should say to him—"Is it not written in the Blue Books of the Land Commissioners?" The noble Lord is furnished with all the information he wants—he can ascertain what those reductions have been. They have been of the most varying kind, varying from nothing at all up to occasionally a high percentage. On the whole, the percentage has been steadily diminishing, and is, I believe, at this moment, something like 14 or 15 per cent, on the average, upon the cases coming before the Courts—not, of course, upon the rental of Ireland. The noble Lord spoke as if the whole rental of Ireland was before the Courts. That is far from being the case. Cases of excessive renting, being most complained of, have probably come first before the Courts, and the percentage of reduction is very considerably less than it was at first. Then the noble Lord asks the Commission—

> "To report whether according to legal precedent and justice they are not entitled to compensation for such loss."

That, I submit, is not a question for a Royal Commission. It is one which we must decide for ourselves. The question is, what are the landlords to be compensated for? It is a very obvious fact, though the noble Lord seems to have dropped it out of his mind, that Parliament, when it passed the Land Act of 1881, intended that there should be a reduction of rent in Ireland in every case in which the rent was above the fair rent; and for such cases I do not suppose that the noble Lord intends to make a claim for compensation. How often such cases might occur, and how much of the rental of Ireland was above the fair rental, was a matter which it was utterly impossible to know for certain beforehand. But so long as the Land Courts in Ireland act within the terms and spirit of the Land Act, and there is no violation of its provisions, I submit to the noble Lord that nothing can have been done, no rent can have been reduced, and no loss can have been sustained by Irish landlords which Parliament, when it passed the Bill, could have contemplated as an injustice that would form a rightful subject of compensation. It is on these grounds that I put it to the noble Lord whether this is a Motion which he can expect this House to adopt. I have a very faint hope indeed that the noble Lord will ever be able to agree with me on the merits of this question; but as to his Motion, and to the appeal for compensation in consequence of those effects having followed from the Land Act which were clearly in the contemplation of Parliament when it passed that measure, I have some expectation that the noble Lord, or, at all events, this House, will be of opinion that such an inquiry as he proposes is absolutely unsuited to the circumstances of the case.

THE DUKE OF ABERCORN wished to make one remark on an observation which fell from the noble Lord the Lord President of the Council in reference to tenant right in Ulster. It was quite true that formerly in Ulster tenants had very often given large sums for tenant right; but in those cases no reduction was ever made from the rent of the landlord.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL): That is what I said.

THE DUKE OF ABERCORN: But the noble Lord omitted to state that it was only since the Act of 1881 passed that large sums had been cut off from the rent of the landlord. The noble Lord was sanguine that the Act of 1881 would produce great benefits to Irish landlords; but, looking not only to the reduction of rent under that Act, but also to the large slice that was cut out of the landlords' interest for the tenant right, he (the Duke of Abercorn) was sorry that he was unable to concur in the noble Lord's happy expectations.

LORD ORANMORE AND BROWNE, in reply, said, that according, he believed, to the last Returns before the House, the reductions of rent made by the Commissioners were 21 per cent. How, then, could the Lord President state that the reductions were but 13 per cent? The Lord President stated that the Land Commissioners were fair and just men. He did not deny that so far as it was possible in the circumstances in which they were placed; but what were those circumstances? A few days back the Prime Minister stated that they valued about 100 holdings per day. Those holdings might be taken to contain an average of 10 acres each, probably divided into fields of 1 acre each—that was to say, 1,000 fields—two-fifths of Land Commissioners and Valuers—say 30 each day. If they were as fleet as deer and as wise as Solomon, how could they go over, much less value, such an area within 10 hours? Again, these Land Commissioners held Office only during the pleasure of Her Majesty's Government. The Valuers appointed by the Commissioners did not please the tenants. Her Majesty's Government discontinued them. With this example before them, how could it be expected that the Land Commissioners would act impartially? Again, the Lord President had asked, what rents would the landlords have got, save from the Crime Act? He asked how had the Crime Act become necessary, and what were the circumstances under which it had been passed? Whence had the agitation been encouraged? In the carefully-prepared speeches of the Prime Minister in Mid Lothian, what did he say to the Irish electors? "It was the Manchester murders and the Clerkenwell explosion that brought Irish affairs into the area of practical politics." These words were repeated at every Land League meeting in Ireland. With what intent they were delivered he (Lord Oranmore and Browne) would not undertake to explain, but that they had contributed largely to encourage the organization of "The Invincibles" and the Dynamite Associations no reasonable man could doubt—nor could Irishmen forget that though there had been 50 murders committed in Ireland with entire immunity, the Crime Bill only came into the area of practical politics, when an English nobleman, the friend and kinsman of the Prime Minister, fell a victim! It was only then that Her Majesty's Government recognized the fact that it was their duty to suppress crime in Ireland. It was because they refused to fulfil this duty that Lord Cowper and Mr. Forster resigned. The Land League Conspiracy was a conspiracy, not only against rents, but against law, order, and English connection. Her Majesty's Government were well aware of this; but they valued the Irish vote far more than the fulfilment of their first duty, the preservation of life and property.

THE LORD CHANCELLOR: I do not rise to answer the general observations of the noble Lord who has just spoken; but this is the first time I have heard the assertion made in this House that the Crimes Act was introduced after, and in consequence of, the assassination of the late Chief Secretary for Ireland. That the Bill was actually brought into the House of Commons after that unhappy event is undoubtedly true; but I can assure the noble Lord that not only had the Government decided upon the introduction of that measure—and, if I am not very much mistaken, they had made an intimation to that effect in the House of Commons before that event—but the measure was in course of preparation, and it was as nearly as possible settled with the assistance of the present Lord Lieutenant (Earl Spencer) before he went over to Ireland.

The Marquess of SALISBURY: As this point has come upon us suddenly I can only speak from memory; but I have a strong recollection that Ministers informed the House of Commons that considerable modifications would be made in the provisions of the Crimes Act in consequence of or after the sad event to which the noble and learned Earl has referred.

The LORD CHANCELLOR: Certainly, it is not possible to say that no modification was made, because, as I have just stated, the Bill had not been, in all its details, finally settled; but of all the modifications which were made, at all events, there was only one of any serious moment.

The Marquess of WATERFORD: Mr. Forster, when he made a certain remarkable statement in "another place," said he would not have resigned the position of Chief Secretary for Ireland if the Government had obtained further powers to strengthen the hands of the Irish Executive. I put it to your Lordships whether the very powers which this Bill contained would not have enabled Mr. Forster to remain in the Office of Chief Secretary? However that may be, we in Ireland, at any rate, believed that the Bill was in consequence of the frightful transaction which took place in Phœnix Park. I believe that even at this moment nine people out of every 10 in Ireland are of the same opinion, which is strengthened by the statement of Mr. Forster to which I have alluded.

The Earl of KIMBERLEY: My Lords, I have not had the opportunity of referring to what took place; but I should be extremely surprised if my former Colleague, Mr. Forster, were to contest what I am about to say—namely, that the cause of his resignation was not in consequence of the refusal to give him fresh powers. So far as I remember, the point was whether certain persons should or should not be let out of gaol before further powers were granted. With regard to what fell from my noble and learned Friend on the Woolsack, I can confirm what he has said. The Bill which was brought in was agreed upon in all its substantial points, and was in print before that terrible murder took place in Phœnix Park. There were two or three points left open for discussion, as would happen in measures of such importance, and, therefore, in that sense the Bill was not absolutely settled; but I repeat that in all its substantial details the Bill was settled before the murders of Lord Frederick Cavendish and Mr. Burke.

Viscount CRANBROOK: My Lords, it is very difficult to enter into a discussion of this sort without Notice; but the facts, so far as I recollect, are these. Before the frightful tragedy in Phœnix Park the proposal of the Government was to take the Arrears Bill before any other legislation of a special kind with respect to Ireland; but after those murders took place there was a transposition, and the Crimes Bill then came to the front. Otherwise there could have been no promise whatever as to when that Bill would be brought on. None, I believe, was given to the House of Commons; but, naturally enough, when the murders took place, the order in which those two Bills were to be taken was transposed, though, no doubt, the Arrears Bill was to be considered *pari passu* with the Crimes Bill.

The Earl of MILLTOWN: My Lords, the public were under the impression that, had it not been for the Phœnix Park murders, it was the intention of the Government to go on with the Procedure Resolutions, and then with the Arrears Bill, before introducing the Crimes Bill.

On question, *resolved* in the *negative.*

House adjourned at a quarter past Six o'clock, till To-morrow, a quarter past Ten o'clock.

## HOUSE OF COMMONS,

*Monday*, 30*th April*, 1883.

---

MINUTES.]—Public Bills—*Ordered—First Reading*—Bills of Exchange (Summary Judgment) * [157].

*Second Reading*—Pier and Harbour Provisional Orders Confirmation * [147]; Public Health (Scotland) Provisional Order (Fraserburgh Waterworks) * [2]; Parliamentary Oaths Act (1866) Amendment [89] [*Third Night*], *adjourned debate further adjourned.*

*Committee*—Customs and Inland Revenue [140] —R.P.

*Committee — Report* — Municipal Corporations (Unreformed) [6-156].

*Third Reading*—General Police and Improvement (Scotland) Provisional Order (Broughty Ferry Paving) * [1], and *passed.*

## INDISPOSITION OF MR. SPEAKER.

The House being met, the Clerk at the Table informed the House of the unavoidable Absence of Mr. Speaker on account of continued indisposition:—

Whereupon Sir Arthur Otway, the Chairman of Ways and Means, proceeded to the Table as Deputy Speaker, and after Prayers counted the House, and 40 Members being present, took the Chair pursuant to the Standing Order.

## *QUESTIONS.*

## STATE OF IRELAND—DISTRESS IN THE WEST AND NORTH-WEST.

COLONEL COLTHURST asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has seen the report in the "Times," of the 24th April, of a statement made on behalf of the Government with respect to distress in certain parts of Ireland:—

> "And the ordinary powers of the Poor Law, though not exceeded, had been applied in the most effective and vigorous manner;"

if he can state in what way any relief has been afforded to the poor by the exercise of the above-named powers in the unions of Glenties and Dunfanagby; and, whether it is true, as alleged, that in the latter union the guardians refuse out-door relief even in the cases provided for under the existing Law?

MR. TREVELYAN: Sir, in Glenties Union effective provision was made for administering the Poor Law, and for affording relief in the manner provided by the Poor Law Acts, by appointing an additional relieving officer and requiring all the relieving officers to attend frequently at out-stations, with the view of bringing them within easy reach of the poor. In Dunfanagby Union a temporary relieving officer was employed in Tory Island, and a supply of meal was sent there in case poor persons might be prevented by stress of weather from reaching the mainland. It is true that, in the latter Union, no outdoor relief is given at present; but it is a Union in which there is little pauperism. There are, at present, only 32 persons in the workhouse.

COLONEL COLTHURST further asked whether the Local Government Board had urged on the Guardians of the Union of Dunfanagby the advisability of using their existing powers with regard to outdoor relief?

MR. TREVELYAN: A Circular to that effect was sent to the Guardians of all the Unions. We have no complaint yet that the Guardians of Dunfanagby Union have, in an unusual degree, failed to exercise their powers of relief.

MR. O'BRIEN asked what was the amount of outdoor relief actually given by the relieving officers in the Union referred to?

[No reply was given.]

## IRELAND—CRIMINAL LUNATIC ASYLUM, DUNDRUM.

MR. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, If he can state the number of deaths occurring annually in the Criminal Lunatic Asylum, Dundrum, from the date of its opening to the present time; the number of post mortem examinations held annually; whether fees were paid to the former resident medical officer, or whether it was in the time of the present officer only that such fees commenced; and, whether it is a fact that the number of deaths and post mortem examinations latterly have been out of all proportion with those of former years?

MR. TREVELYAN: Sir, the number of deaths in each year could be given; but, as the Asylum has been open since the year 1850, they could not be conveniently stated in an answer to a Question. I am informed that, in consequence of some of the records of the asylum having been destroyed in a fire some years ago, the particulars as to *post mortem* examinations could not be given for an earlier period than 1870. The fire occurred before the appointment of the present Governor, who states, however, that, as far as he knows, fees for *post mortem* examinations were paid to his predecessor. It is true that, during the past 28 months, the number of deaths has been greater than in any similar period since the asylum was opened. The Inspectors state, however, that this is not referable to any particular exceptional causes.

**Mr. W. J. CORBET** asked the Chief Secretary to the Lord Lieutenant of Ireland, If an investigation has been held into a charge of tampering with the faith of a patient at the Criminal Lunatic Asylum, Dundrum, by refusing his request to be attended by the Roman Catholic Chaplain; whether the Report of the inquiry will be printed in the forthcoming Parliamentary Report on Lunatic Asylums in Ireland; and, if not, whether he will give it as a separate Paper?

**Mr. TREVELYAN**: Sir, at the close of 1881 and beginning of 1882 an inquiry was held into various matters connected with the Dundrum Asylum—including religious observances. I am informed that there was no particular case brought under notice in which a patient entered on the books as a Roman Catholic was prevented from seeing the Roman Catholic chaplain. If the hon. Member will communicate to me any particulars which have been furnished to him of any such alleged case, I will inquire as to the facts and let him know the result. It is not intended to lay before Parliament the Report of the inquiry referred to.

## PREVENTION OF CRIME (IRELAND) ACT, 1882—SECTION 14—POLICE SEARCHES.

**Mr. BIGGAR** asked the Chief Secretary to the Lord Lieutenant of Ireland, Is it the case that the house of James Gilgan, of Cartroughibbaagh, near Manorhamilton, was searched by the police on 14th August last, and again on 13th instant by a resident magistrate, sub-inspector of police, and a large number of police; and, whether anything objectionable was found in his house in August last; and, if not, what reason was there for the search on 13th instant?

**Mr. TREVELYAN**: It is the case, Sir, that Gilgan's house was searched on both the occasions mentioned without result. I mentioned a few days ago the case of a man named Cullen, living in the same locality, who, by a misleading communication to the authorities, brought about the search of his own premises. In the same communication Cullen involved his neighbour Gilgan, whose house was searched before the authorship of the letter had been discovered.

**Mr. BIGGAR** wished to know whether the right hon. Gentleman was prepared to show him the letter, as the man referred to utterly denied having written it?

**Mr. TREVELYAN**: I am afraid that would be a rather irregular proceeding.

## EAST INDIA—CODE OF CRIMINAL PROCEDURE (NATIVE JURISDICTION OVER BRITISH SUBJECTS).

**Mr. GIBSON** asked the Under Secretary of State for India, Whether his attention has been called to the following statement, which lately appeared in the Indian correspondence of the "Times:"—

> "While the Criminal Procedure Code of 1882, which it is now sought to amend, was pending before the Legislature, criticisms upon the measure were invited from the local Governments, and from the officials interested in the administration of the criminal Law. Upwards of one hundred and fifty reports from officials, many of whom were Natives, were received in answer to that invitation. Among these were fifteen reports from High Court Judges, thirty-two from Sessions and Assistant Sessions Judges, fifty-seven from District Magistrates, four from Presidency Magistrates, thirty-two from Commissioners of Divisions, seven from Judicial Commissioners, six from Chief Commissioners, and five from Inspectors General of Police, besides others from Small Cause Court Judges, moonsiffs, Residents in Native States, and Law officers of the Government. Only one of these reports, that of a Native, not belonging to the Covenanted Civil Service, who was then acting as Chief Magistrate of Calcutta, advocated the abolition of the existing rights of European British subjects;"

and, whether the statements contained in the said letter are substantially accurate?

**Mr. J. K. CROSS**: Sir, the Criminal Procedure Code of 1882 is merely a consolidating and amending Act, and made hardly any substantial alteration in the law. In May, 1879, the Government of India issued a Circular, calling for opinions on the draft Bill, which was first published in the Government *Gazette* in the spring of that year, and afterwards became law as the present Criminal Procedure Code Act of 1882. The replies to that Circular were submitted in 1879 and early in 1880, and appear to be the reports referred to by the right hon. and learned Member. As, however, the Bill did not propose or suggest any alteration of the privileges of European British subjects, it is not remarkable that none, or scarcely any, of the officers consulted made any observations on this point.

## LAW AND POLICE (SCOTLAND)—THE CHIEF CONSTABLE OF SUTHERLAND.

Mr. BIGGAR asked the Secretary of State for the Home Department, Whether it is the fact that the party selected by the Police Commissioners of Sutherland to act as Chief Constable of that county has been rejected on account of having mis-stated his age; whether he can state who recommended Mr. Fraser; whether the Commissioners were guilty of irregularity in appointing him to the office without first having seen a certificate of his birth; and, whether the Chairman of the Commission, Mr. Sheriff M'Kenzie, Dornoch, called a meeting for the purpose of cancelling Fraser's appointment; and, if so, whether such a course is competent in the absence of proof that his age had been intentionally mis-stated, and what action, if any, he proposes to take?

The LORD ADVOCATE (Mr. J. B. Balfour): I have been requested by my right hon. Friend to answer this Question. Mr. Fraser, the person selected by the Police Commissioners of Sutherland as Chief Constable, has not been rejected; but the fact that he made a mis-statement of his age having been brought to the notice of the Secretary of State, he thought it advisable to withhold his confirmation of the appointment until the county authorities had had an opportunity of reconsidering the appointment. The Secretary of State is not aware upon whose recommendation Mr. Fraser was selected by the Police Commissioners. There is no rule as to the evidence required by county authorities in proof of a candidate's age; but due care is observed in the Home Office to ascertain that the candidate is in all respects within the Secretary of State's regulations before the appointment is confirmed. It is true that the meeting was summoned for the purpose stated in the Question—and the Secretary of State thought that as the appointment was based on a mis-statement of fact, the Commissioners should have an opportunity of reconsidering it—but it is open to them to re-appoint Mr. Fraser if they are satisfied on inquiry that the mistake was unintentional, and they have been so informed by the Secretary of State.

## POOR LAW (IRELAND)—ELECTION OF A GUARDIAN, BALLYMACWILBAIN.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the recent Poor Law election for the division of Ballymacwilbain, in the Edenderry Union, when Mr. Barnard Ennis, the National candidate, received the votes of 23 ratepayers, while his Conservative opponent received the votes of only 9 persons; yet, in consequence of the system of multiple voting, the return actually made by the returning officer was, Reddy 84 votes; Ennis 50 votes; whether he is aware that, in another division of the same Union, Mr. Eustace, the National candidate, obtained the votes of 31 ratepayers against 9 ratepayers who supported the Conservative candidate, Mr. Kerr; and that, nevertheless, the candidate of the minority was declared elected by 105 votes to 50; whether it is the case that Mr. Raite Kerr, J.P. gave a number of votes in favour of Mr. Reddy, largely in excess of the 18 votes laid down by the Local Government Board as the maximum of votes inherent in any one ratepayer; whether Mr. David Kerr, the successful candidate in the second instance above referred to, was allowed to cast 36 votes in his own favour, and whether the remainder of his majority was made up of 45 votes cast by three magistrates, and 12 votes given by a non-resident lady; whether the ascertainment of the facts was impeded by the refusal of the returning officer to permit Mr. Ennis, one of the candidates, to take a note of the number of multiple votes admitted in each case; and, whether, if the facts be as stated, he, in any forthcoming legislation with respect to Poor Law elections, will make provision further to define the powers and qualifications of returning officers to determine the Law with respect to the votes of tithe-owners and immediate lessors, and to curtail the enormous disproportion which exists between the numbers and the voting strength of the landlord class in Ireland?

MR. TREVELYAN: Sir, I have received a Report from the Returning Officer, which shows that the hon. Member has been greatly misinformed as to the facts of this election. The numbers of votes given are quoted with tolerable accuracy; but the number of ratepayers who voted for Messrs. Ennis and Reddy respectively were 18 and 20—not 23 and 9, as stated. In the other division referred to, Messrs. Eustace and Kerr received respectively the votes of 24 and 21 ratepayers, not 31 and 9, as stated. The allegations as to excess voting by Mr. Raite Kerr, and as to the votes given by and for Mr. David Kerr are without foundation. Both these gentlemen held proxies for a number of ratepayers which were duly registered. The Returning Officer denies that he objected to Mr. Ennis taking a note of the multiple votes admitted, or that he asked for this information. I see nothing in this case which suggests the necessity for legislation as to the powers and qualifications of Returning Officers.

## PRISONS (IRELAND)—SPIKE ISLAND.

SIR R. ASSHETON CROSS asked the Chief Secretary to the Lord Lieutenant of Ireland, What progress had been made in the removal of Convicts from Spike Island, and when that prison will be closed?

MR. TREVELYAN: Sir, it has not been possible as yet to remove more than 105 convicts from Spike Ireland—owing to the numerous and important changes which have first to be carried out in other prisons; 395 convicts remain in Spike Island. The general Prisons Board do not expect to be able finally to close Spike Island Prison before the 15th of June; but they hope before that date to have large numbers of the convicts now confined there located in other prisons.

MR. T. P. O'CONNOR asked whether a new convict establishment would be rendered necessary in consequence of the changes in Spike Ireland?

MR. TREVELYAN said, that was a serious and important Question, and required some consideration. At present the greater number of the convicts went to Mountjoy Prison.

MR. ARTHUR O'CONNOR asked whether the closing of Spike Island Prison would interfere with the naval works at Haulbowline?

[No reply was given.]

## BURMAH—OBERVANCE OF TREATIES WITH INDIA.

MR. ONSLOW asked the Under Secretary of State for India, How Her Majesty's Government propose to carry out the determination of the policy of His Excellency the Viceroy of India in Council, contained in the Despatch from India of the 13th of February last to Lord Kimberley, and approved of by Her Majesty's Government in a Despatch from Secretary of State to the Viceroy dated 16th March last, in the former of which His Excellency states that—

> "For the present our efforts must in all probability be limited to securing observance of existing Treaties, and to the protection of British subjects visiting Upper Burmah;"

and, again, in the words of the Secretary to the Government of India in the Foreign Department (of the 26th of January last) to the Burmese Foreign Minister—

> "It is only necessary to say that the Government of India adhere to their former opinion, and consider it all the more important to observe closely existing Treaties because the attempt to negotiate a revised Treaty has failed;"

whether he is aware that, by Clause 7 of the Treaty of Yandaboo, it was agreed that a Resident (representing the British Government), with an escort of fifty men, should be established at the place of Durbar, or capital of Burmah; and, whether this portion of one of the Treaties is to be observed closely?

MR. J. K. CROSS: It is impossible, Sir, at the present moment, to define the precise manner in which it is intended to give effect to the policy towards Burmah which is declared in the passages quoted by the hon. Member. Much must depend upon circumstances, with which it will be for the Indian Government to deal as they arise. Passages on pages 27 and 50 of the Blue Book show that that Government is perfectly aware of its right under the 7th clause of the Treaty of Yandaboo, but that it must be allowed discretion in enforcing them.

### ARMY (INDIA)—CIVIL PAY OF MILITARY OFFICERS.

Mr. CARBUTT asked the Under Secretary of State for India, If he will give a Copy of the Rule sanctioning the half civil pay or any civil pay, in addition to military pay and allowances when on military duty, for officers in India?

Mr. J. K. CROSS: Sir, the rule is brief and to the point, though slightly technical. It is contained in a financial notification, published in 1867, and is embodied in the Indian Pay Code as follows:—

"An officer on permanent civil employ, acting in a military appointment, will draw, in the Military Department, the allowances to which he would have been entitled under military rules had his substantive appointment been an appointment in the Military Department."

Under the military rules referred to an officer draws half the staff salary of his substantive appointment with that of his acting appointment.

### THE DANUBIAN COMMISSION.

Mr. JOSEPH COWEN asked the Under Secretary of State for Foreign Affairs, If he has any objection to lay upon the Table of the House the Protocol of the European Danubian Commission of the 2nd of June 1882, in order to make intelligible the proceedings of the recent Conference recorded in "The Danube (No. 2, 1883);" and, if he has any objection, if he will be so kind as to state to the House what are the reasons for such objection?

Lord EDMOND FITZMAURICE: There is no objection, Sir, on the part of Her Majesty's Government to lay upon the Table the Protocol in question; but, before doing so, it will be necessary in the usual course to obtain the consent of those Governments whose Commissioners were also parties to it. There will consequently be some slight delay before it is in the hands of hon. Members.

### FRANCE AND ANNAM (TONQUIN).

Mr. ONSLOW asked the Under Secretary of State for Foreign Affairs, Whether he could give the House any information regarding the encroachments of France in the province of Annam (Cochin China)?

Lord EDMOND FITZMAURICE: Sir, I have nothing to add to the statement which I made upon this subject on the 23rd instant. Her Majesty's Government have no further information.

Mr. ONSLOW: Might I ask what means the Government are taking to get information? Is there anyone appointed to get it?

Lord EDMOND FITZMAURICE said, that the Government had no means of obtaining information other than that which was possessed by the Government of France.

### THE SLAVE TRADE—BRITISH SLAVE OWNERS.

Sir JOHN HAY asked the Under Secretary of State for Foreign Affairs, If his attention has been called to the report of Mr. Consul Holmwood (Slave Trade Papers, No. 1, page 165), and to the number of British subjects therein reported to be the owners of slaves, and what steps Her Majesty's Government propose to take to discourage this practice and the encouragement of the East African Slave Trade by subjects of the Crown?

Lord EDMOND FITZMAURICE: Sir, in the Report on Johanna, from which the hon. and gallant Admiral quotes, Consul Holmwood does not speak of the slaves as being "owned" by British subjects, but as "employed by European and American planters." The labourers are paid directly for their services, and the British authorities cannot intervene between them and their employers. Consul Holmwood will return to Johanna at an early date with the ratifications of the Treaty of the 10th of October last for the suppression of Slavery and the Slave Trade, and it is hoped that this Treaty will prove effectual.

### LAND LAW (IRELAND) ACT, 1881—CLAUSE 19—FARM LABOURERS.

Mr. VILLIERS STUART asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, having regard to the fact that the Land Commissioners have no means of knowing whether their orders made by virtue of Clause 19 of the Land Law (Ireland) Act are carried out or not, he will advise Her Majesty's Government to take the necessary powers for giving effect to the recommendation of the Commissioners; and, in accordance with it, to appoint inspectors charged to watch over the interests of Irish farm labourers in the matter of cottages and allotments, and to see that they obtain the benefit of the provisions on their behalf contained in recent Acts of Parliament?

**Mr. TREVELYAN**: Sir, as I stated a few days ago, I am at present taking steps to ascertain to what extent the orders made by the Commissioners are complied with. After the inquiries are completed and I am in possession of the results, I will endeavour to answer the hon. Member's Question more fully.

## CRIMINAL LAW (SCOTLAND)—IMPRISONMENT OF A PUBLICAN AT HAMILTON.

**Mr. RAMSAY** asked the Lord Advocate, Whether he can inform the House of the grounds on which Mr. Edward Hunter, a respectable resident in Hamilton, was apprehended there on the third day of October last, at the instance of the Procurator Fiscal, and, on the following day, after having, on examination before the sheriff, declared his innocence of the charge made against him, was handcuffed to a policeman and taken to the prison at Glasgow, where he was confined for eight days and then liberated, without ever having been brought to trial or any evidence adduced against him; whether he can state the persons on whose testimony the imprisonment took place; whether the public prosecutor who conducted these proceedings was also law agent for the nobleman at whose instance they originated; and, whether, in the circumstances, such imprisonment was justifiable according to the law of Scotland?

**The LORD ADVOCATE (Mr. J. B. Balfour)**: The person referred to in my hon. Friend's Question—Mr. Edward Hunter, a spirit dealer in Hamilton—was apprehended on 3rd October last, and charged on the following day before the Sheriff with complicity in thefts of game and embezzlement of the proceeds alleged to have been committed by his uncle, a gamekeeper. He denied the charge, and was committed to prison for further examination, and was confined for eight days and then liberated. The circumstances of the apprehension and detention in prison are correctly stated, except that I am unable to say whether Hunter was handcuffed or not, as the report which I have received this morning does not give the information which I desired on that point. The Procurator Fiscal was not the law agent for the Nobleman whose game was said to have been stolen, and the prosecution was not instituted on the information or instigation of him or his law agents, but upon other information which the Procurator considered credible. It is not contrary to the law of Scotland that a prisoner, after being brought before a magistrate and charged with an offence—which was done without delay in the present case—should be committed to prison for further examination—or, as it is called in England, remanded—for a period which in practice does not exceed eight days.

## PRISONS (IRELAND)—JAMES KELLY.

**Mr. HARRINGTON** asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that any official or policeman visited a prisoner named James Kelly in Ballinasloe bridewell on different occasions in the month of February, and was locked into the cell with him, and while there gave him whiskey to drink on each occasion, and solicited certain information from him?

**Mr. TREVELYAN**: James Kelly, Sir, was on one occasion visited in the Bridewell by the Sessional Crown Solicitor, who was accompanied by the prisoner's father. There is not the slightest ground for the suggestion that he was offered whiskey. I have already, in reply to a former Question, distinctly stated he was not visited by a detective.

**Mr. HARRINGTON**: Will the right hon. Gentleman inform the House whether he has asked any question on this subject of James Kelly himself, or whether he will give him an opportunity of making an affidavit in support of the allegation set forth in the Question?

**Mr. PARNELL**: As this is a very serious charge of unlawful interference with an untried prisoner, made by the hon. Member for Westmeath against the prison authorities, may I ask the right hon. Gentleman whether he will direct an inquiry into the whole circumstances of the case; at which inquiry the statement of the prisoner may be taken as well as the statement of the prison authorities?

[No reply was given to these Questions.]

MR. PARNELL: I shall repeat the Question on Thursday next.

## THE MAGISTRACY (IRELAND)—THE LAW ADVISER.

MR. TOTTENHAM asked the Chief Secretary to the Lord Lieutenant of Ireland, If he will state the reasons which have induced the Lord Lieutenant to withdraw from the magistrates the assistance they have hitherto been accustomed to receive from the Law Adviser to the Government, in cases in which they have felt a difficulty in dealing; and, whether he will confer with the Lord Lieutenant on the desirability of cancelling the Circular issued by Mr. Hamilton on the 23rd instant?

MR. GIBSON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that the Government, by a recent Circular to the magistrates of Ireland, have apprised them that they can no longer obtain advice from the Law Adviser at Dublin Castle, and that they must rely on their own experience and that of their clerks; and, whether, since this change will deprive the unpaid magistracy of this opportunity of being well advised on difficult matters of Law, he will state what is the intention of the Government as to the future status, qualification, and pay of the Petty Sessions clerks, whose responsibility is thus sought to be increased?

COLONEL KING-HARMAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that petty sessions clerks in Ireland are not professional legal men, as is the case with petty sessions clerks in England; and, what means of advice in difficult legal matters country magistrates in Ireland are now to be furnished with, as it appears that the office of Law Adviser has been abolished?

MR. TREVELYAN: While it is a fact, Sir, that petty sessions clerks in Ireland are not professional men, yet their position has in late years been considerably improved, and I have reason to believe that the persons now appointed are as a rule of superior attainments to those formerly appointed. The Government issued the Circular referred to by the right hon. and learned Member for the University of Dublin (Mr. Gibson) after full consideration and in the belief that the magistrates will be able satisfactorily to dispose of the questions arising before them without obtaining advice from the Law Adviser, and that it is more satisfactory that they should act on their own judgment in cases brought before them judicially. The number of applications for such advice has of late considerably decreased. I have, however, to add that should it turn out that any public inconvenience results from the discontinuance of the practice of magistrates obtaining advice, the Government will take care to make arrangements for the purpose of obviating such inconvenience.

MR. GIBSON: I desire to ask the right hon. Gentleman whether the unpaid magistrates will not, as a matter of obvious common sense, now that they are deprived of the assistance of the Law Adviser, refuse to accept the responsibility in deciding difficult cases, and postpone them for the magistrates who are paid to incur the liability involved in this Circular?

MR. TREVELYAN: I should be very sorry to answer a Question of this kind straight off, without the assistance of my right hon. and learned Friend the Attorney General for Ireland; but I can quite imagine that such would occasionally be the case. The present system, however, appears to be full of very grave disadvantages, and I am extremely alive to the difficulties which may result from changing it. After all, the office of Law Adviser is not founded by legislation. It is only part of a system on which a change is considered desirable.

MR. MACARTNEY: Is the right hon. Gentleman aware that although these clerks are of a better class, they have no legal attainments?

MR. TREVELYAN: I am quite aware of it.

COLONEL KING-HARMAN: Has the right hon. Gentleman taken into consideration the cases of Chairmen of Boards of Guardians and Town Commissioners, who often have knotty points of law before them, and who have been accustomed hitherto to apply for advice?

MR. TREVELYAN: We are not now on a question of the fresh appointment of a Law Adviser. I am not aware that very much of the work of that officer was with reference to the bodies which the hon. and gallant Member has named. The seriousness, which I fully admit, is with reference to the question raised by the right hon. and learned Member opposite.

MR. GRAY: May I ask the right hon. Gentleman whether there exists in England any official corresponding to the Law Adviser in Ireland to whom local Magistrates, Chairmen of Boards of Guardians, Chairmen of Town Commissioners, and other gentlemen in similar positions, are entitled to apply for advice under the circumstances mentioned by the hon. and gallant Member for Dublin?

MR. TREVELYAN: No, Sir; no such official exists. It cannot be said that the circumstances of England and Ireland are precisely parallel. [*Ironical cheers.*] I can assure hon. Members that these cheers do not bear upon the point of view to which I am going to refer. The difference between England and Ireland is this—the magistrates' clerks in England are invariably of a different standing, and possessed of very different professional qualifications from that of magistrates' clerks in Ireland.

## FISHERIES—TRAWLERS.

LORD ELCHO asked the President of the Board of Trade, What steps, if any, Her Majesty's Government propose taking towards redressing or inquiring into the damage inflicted on fishermen by the action of trawlers?

MR. CHAMBERLAIN: Sir, the noble Lord is, no doubt, aware that the complaints of the different classes of fishermen the one against the other are of very old date, and they have been inquired into, I think I may say exhaustively, on more than one occasion, and especially by the Royal Commission which sat in 1866, and upon which Professor Huxley, the present Chief Commissioner of Works (Mr. Shaw Lefevre), and others served. I should also say that, as regards wilful damage, or damage done by gross negligence, the present law already provides a sufficient remedy; but I judge from the complaints which have been addressed to me, that some of the fishermen wish to go further than this. What they want the Government to do is to prohibit the most effective machinery for fishing on behalf of the less effective and older methods. That is, of course, more than any Government can undertake to do.

MR. A. GRANT: Is it decided to refuse the inquiry asked for by the fishermen?

MR. CHAMBERLAIN: As at present advised, I do not see that any further inquiry is necessary, or would serve a useful purpose.

## PREVENTION OF CRIME (IRELAND) ACT, 1882—SECTION 14—MR. KENNEDY.

MR. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to a letter in the "Cork Examiner" of April 25th, signed William Kennedy, Kildonery, challenging him to prove that the papers seized on Mr. Kennedy's premises by the police contained any matter tending, even by inuendo, to the commission of crime, and respectfully inviting him either to institute proceedings against him at once, or to restore to him the business memoranda seized by the police, and withdraw the injurious imputation on his character; and, whether he proposes to take any steps in the direction indicated? The hon. Member complained that his Question had been altered. What he wished to ask was—Whether, under the circumstances, Mr. Kennedy's application was not a just and reasonable one, that if guilty he should be prosecuted at once, and if innocent, his character should be relieved from an odious imputation?

MR. TREVELYAN: Sir, I will answer the Question I find on the Paper. Kennedy has already been informed that he can, if he requires it, have back the book containing the business memoranda, which are merely a few trifling items relating to repairs of harness. I must decline to state whether or not any proceedings may yet be taken which would involve the production for purposes of prosecution of any of the documents seized.

## ARMY (INDIA)—CIVIL PAY OF MILITARY OFFICERS.

MR. CARBUTT asked the Under Secretary of State for India, Under what head of expenditure the Civil pay drawn by Military men while on active service in Afghanistan is charged, whether to the War Expenditure or to the ordinary

Military Expenditure; and, if charged to the Public Works Department, whether it goes to increase the standing charges for Public Works, or is charged to the working expenses of the Railways?

Mr. J. K. CROSS: I have no reason to doubt, Sir, that the civil pay referred to is included in the war expenditure. The only information we have in detail is given on page 158 of the East India Finance and Revenue Accounts for 1880-1, presented to Parliament last year, and in other similar Returns.

### METROPOLITAN IMPROVEMENTS—THE WELLINGTON STATUE.

Mr. GERARD NOEL asked the First Commissioner of Works, Whether any decision has been arrived at with reference to the future site of the equestrian statue of the late Duke of Wellington?

Mr. SHAW LEFEVRE: Sir, the Committee which I appointed to advise the Government as to the site for the statue of the Duke of Wellington have unanimously reported that in their opinion the statue should be placed, upon a fitting pedestal, upon a site immediately within the present railings of St. James's Park, facing the Horse Guards, and upon the central axis of the archway of that building. Beyond this I am unable at present to give an answer to the right hon. Gentleman. The removal of the statue and a fitting pedestal for it will involve expenditure on which it will be necessary to consult the Treasury, and probably this House.

Mr. GERARD NOEL: Is the new site where the refreshment lodge now stands?

Mr. SHAW LEFEVRE: Close to that.

### SOUTH AFRICA—ZULULAND—ACTION OF MR. JOHN SHEPSTONE.

Mr. GUY DAWNAY asked the Under Secretary of State for the Colonies, Whether his attention has been drawn to the following telegram sent by the Maritzburg Correspondent of the "Daily News," and reported in the "Daily News" of March 19, 1883:—

> "We have very grave accounts of Mr. John Shepstone's action in the Zulu Reserve. Besides imposing fines right and left, he is said to have personally assaulted one chief, and caused others to be severely beaten for not renouncing Cetywayo;"

to a second telegram reported in the "Daily News" of March 22, in which the same correspondent states:—

> "I have received further information respecting the alleged Dragooning practised in the Zulu Reserve. Some of the Zulus have, it is said, been fined five head of cattle, equal to £25, for expressing their loyalty to Cetywayo. Others were detained in custody for ransom with ten head of cattle;"

and, whether he has received any official corroboration or denial of these statements?

Mr. EVELYN ASHLEY: Sir, in consequence of the statement to which the hon. Member draws attention, we sent off one of the numerous telegrams we have had lately to despatch on similar errands, and this is the reply from Sir Henry Bulwer—

> "Wholly untrue. Shepstone neither struck, nor caused to be struck, any Chief. On the contrary, he interposed to stop fight between two factions. He fined seven Chiefs for continued disregard of summons—not for reason stated; there has been no detention in custody."

### THE MAGISTRACY—PENZANCE—MARTIN NASH.

Mr. BIGGAR asked the Secretary of State for the Home Department, If his attention has been drawn to the case of a young man named Martin Nash, who was sentenced on Monday last to fourteen days, by the Mayor of Penzance, for no apparent reason but the absence of cash; whether he will order the release of the prisoner from remainder of his punishment; has his attention been drawn to a decision last week by same magistrate, in which the prisoner presented a charged six-chamber revolver at a Mr. Heran, and received no punishment whatever, but was bound over to keep the peace; and, whether he will inquire into the conduct of the Mayor of Penzance?

Mr. HIBBERT, in reply, said, that the case of Martin Nash appeared on inquiry to be an ordinary case of vagrancy. In the second case, the inquiry showed that the prisoner did not make a serious attempt on the life of the magistrate. He was bound over to keep the peace for 12 months in two sureties of £250 each. Neither of these cases called for the interference of the Home Secretary.

## PREVENTION OF CRIME (IRELAND) ACT, 1882—ARRESTS NEAR MILTOWN MALBAY.

MR. KENNY asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to the arrests of several respectable farmers in the vicinity of Miltown Malbay; if they have been charged with conspiracy to murder; if it is true that no outrage has occurred in the district for upwards of twelve months; if it is a fact that four men were first arrested and examined at the police barrack with a view to extract information from them respecting the alleged conspiracy; whether failing this they were discharged and arrested again the same night and conveyed to Ennis Gaol; if they have been kept there since Thursday April 19th, by order of Mr. Clifford Lloyd, special resident magistrate, without permission to see any of their friends; if one of them, Francis Egan, was kept separate from the others, and then sent home under police protection; and if such was intended to convey that Mr. Egan had become an approver; if he has since been followed everywhere he goes even into church by policemen; if it is a fact that Mr. Clifford Lloyd has informed Egan that he will prosecute him until he consents to give information; if Mr. Egan has repeatedly and emphatically declared that he has no information to communicate; and, whether, since no evidence whatever can be procured to prove the complicity of any of the men arrested in conspiracy, Her Majesty's Government will order their immediate discharge from custody?

MR. TREVELYAN: Sir, there is strong reason to believe that a widespread conspiracy, from which atrocious murders and many other crimes of violence have sprung, has for some time existed in the county of Clare, and the authorities are engaged, with good hope of success, in endeavouring to bring to light and suppress that conspiracy by the exercise of the powers specially conferred on them for such purpose by the Prevention of Crime Act. A number of persons have been arrested and charged with conspiracy to murder and treason-felony. The cases against them are pending, and I must decline to make any statement as to the evidence which has been or may be produced before the magistrates. With regard, however, to the several allegations made in this Question, I may state that it is not the fact that there has been no outrage in the Miltown Malbay district for upwards of 12 months; though even if it were that would be no reason why efforts should not be made to discover the perpetrators of crimes of violence which occurred more than 12 months ago. The allegation as to the preliminary arrest of four men is incorrect. An inquiry was held under the Crimes Act, and, of the persons then examined, some were on the next day arrested, and have not since been discharged. They are allowed to see their solicitors, but not the general public. The statements as to Francis Egan are quite inaccurate. He had given evidence, and was protected by the police. On a subsequent occasion, he refused to be sworn, and was committed to prison. The Government has certainly no intention of interfering to procure the immediate discharge of the prisoners.

MR. KENNY: Might I ask the Chief Secretary, what protection there is for men like Francis Egan, who are examined before secret tribunals, that the evidence, which is taken down by the Resident Magistrate, or whoever else may preside, is not deliberately cooked, and what evidence there is to show that Egan gave any information whatever; and in support of that fact—[*Cries of* "Order!"]—is it not true that Egan refused to be sworn, and that up to the present time the public mind is entirely unsatisfied that Egan made any such admissions as are imputed to him? [*Cries of* "Order?"]

MR. O'DONNELL: I wish to ask the Chief Secretary, also, if it is the case that all those arrest smade in Miltown Malbay were on the alleged statements of a convict under sentence of penal servitude for life, and whether Captain Clifford Lloyd, R.M., has held out hopes to this life-convict of release from his punishment if he gives satisfactory information against a sufficient number of suspected criminals; and I ask the Government what guarantees there are in the case of convicts like him who give evidence in the hope of release?

MR. HARRINGTON: Before the right hon. Gentleman answers that Question, may I ask if similar overtures have not been made to a prisoner named

Michael Walsh, who is at present in Mountjoy convict prison also under a life sentence, and if he has not been offered his pardon on condition of giving information ?

Mr. KENNY: May I ask the Chief Secretary—[*Cries of* "Order!"]—if under this committal to prison Egan has been committed to prison.

[No answer was given to these Questions.]

Mr. PARNELL: I beg to ask the Chief Secretary to the Lord Lieutenant, under whose authority the untried prisoners mentioned in the Question of the hon. Member for Ennis (Mr. Kenny) are deprived of the right of receiving visitors guaranteed to them by the Prison's Act of 1877 and by the Prison Rules which were framed by the late Lord Lieutenant of Ireland ?

Mr. TREVELYAN: That question was raised in debate and discussed at some considerable length with regard to prisoners now being tried at Kilmainham. The Government on that occasion acted under the advice of the Law Officers, and satisfied themselves that they had power to act as they have done.

Mr. PARNELL: Will the right hon. Gentleman lay on the Table of the House the opinion of the Law Officers of the Crown in Ireland stating that the Government of Ireland have a right to break the law of the land ?

[No reply was given.]

Mr. KENNY: I wish to give Notice that, in consequence of the very unsatisfactory answer which I have received, I shall repeat the Question, with additions to it.

## IRELAND—THE UNDER SECRETARY TO THE LORD LIEUTENANT.

Mr. O'DONNELL asked the Chief Secretary to the Lord Lieutenant of Ireland, What salary is attached to the Under Secretarial office accepted by Mr. Hamilton?

Mr. TREVELYAN: Sir, the salary attached to the post of Under Secretary is £2,000 a-year. As long as Mr. Hamilton holds it, he will receive a personal allowance of £500 a-year.

Mr. O'DONNELL: With reference to the answer lately given by the Chief Secretary that Mr. Hamilton was induced to give his "valuable services" to Ireland, may I ask the Chief Secretary whether the additional £500 was the inducement?

Mr. TREVELYAN: Sir, I thought the hon. Member would probably say something about Mr. Hamilton, and I brought down with me two letters I have received from him, parts of which I will read to the House—

> "I see Mr. O'Donnell has a Question about my salary. Of course, you know the facts. The post with an addition of £500 a-year was, as you know, refused by me so long as I had the option. When the thing became a matter of duty I accepted, but personally I would, as you know——"

And then he says one or two words which I omit, but which comes to this, "that as a pecuniary matter certainly £2,500 in Dublin is not so advantageous to me as £2,000 in London." One of the circumstances to which I refer is the extraordinary success which his sons have obtained in getting scholarships in schools around London, and another circumstance to which he would be the last man to allude is that something may happen to the successor of Mr. Burke, which is a serious consideration to a man who has a family dependent on him. In a letter written some time after he had accepted the position, Mr. Hamilton says—

> "Now that matters are settled as regards myself, I begin to feel quite resigned to a life devoted to Ireland; but after all it will not be devoted merely to Ireland, for to take part in serving Ireland is to serve England also. Perhaps in no other position to which I could look could I have better opportunities of doing useful work."

That is the spirit in which Mr. Hamilton accepted the post.

Mr. O'DONNELL begged to give Notice that on the Estimates he would call attention to the fact that the best paid places in Ireland were handed over to persons coming from England.

## PREVENTION OF CRIME (IRELAND) ACT, 1882—CLAUSE 16—SECRET INQUIRIES.

Mr. O'DONNELL asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true, as stated in the "Standard" of the 27th instant, with regard to charges brought by a convict named Tubridy against twenty-five persons in Clare, that—

> "The witness Patrick Sullivan, assistant postmaster at Ennis, had been previously exa-

mined before Mr. Clifford Lloyd at a secret inquiry under the Crimes Act, held at the police barracks on the 20th April, and on his information being read he stated that it contained many statements which he had not made, and which he wished to have altered. Mr. Morphy then read the deposition, and asked the witness whether each paragraph was true or false, the result being that he made several material changes in the original statement;"

and, if he can state what rules have been adopted with regard to the taking of evidence in private at such investigations?"

MR. TREVELYAN: I have already stated, in reply to the hon. Member for Ennis (Mr. Kenny), that the authorities are engaged in endeavouring to bring to light and break up a murder conspiracy which is believed to exist in the county of Clare. Inquiries under the Crimes Act are pending in the matter, and I must respectfully decline to make any statement as to the evidence which has been or may be taken at such inquiries. No special rules have been made on the subject. With regard to questions as to arrests made in districts where there have been few recent outrages, it is necessary to remind hon. Members that during the last three years no less than 54 murders and about 3,500 serious outrages, which remain undetected, have been committed in Ireland. The Government intend to do their best to bring the perpetrators to justice.

MR. O'DONNELL: I want a distinct answer to a distinct charge. A witness has in a public investigation sworn that his evidence at the private inquiry was altered by the examining magistrate, and I ask the Chief Secretary whether he will make any inquiries as to whether that charge is true, and whether Mr. Clifford Lloyd substituted the words "secret societies" for "associates" in the evidence of Patrick Sullivan? I beg also to repeat the Question, What rules have been adopted with regard to the taking of the evidence in private at such inquiries?

MR. TREVELYAN: The Irish Government are endeavouring to the best of their imperfect powers and possibly imperfect judgment to carry out the intentions with which Parliament instituted these preliminary inquiries. We have quite satisfied ourselves that to answer Questions of the nature of that put by the hon. Member would be to defeat the intentions of the Legislature.

MR. O'DONNELL: I beg to ask the Prime Minister if he intends to continue the powers of private examination vested in a magistrate who has been accused upon oath of having changed the depositions of witnesses examined in private before him?

MR. GLADSTONE: I am not cognizant of the whole circumstances to which the hon. Member refers; but so far as I have heard the answers of my right hon. Friend, and gathered the position from them, the answers have my hearty concurrence.

MR. O'DONNELL: Sir, I beg to lay the evidence on the Table of the House, and I challenge investigation. [*Cries of* "Order!"]

## IRELAND—ASSISTED EMIGRATION.

COLONEL COLTHURST (for Mr. MOORE) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can give any further information, in the shape of Papers or Reports, on the assisted emigration from Ireland, more particularly with reference to the steps taken to provide for the emigrants on landing in America; and, whether Major Gaskell has made any Report since returning from that country; and, if so, whether he will lay this Report upon the Table?

MR. TREVELYAN: Sir, Major Gaskell has made a Report since his return from America, and there is no objection to lay it on the Table. There are not, I think, any other Papers which could be usefully produced at present; the recent Papers consist principally of correspondence with Boards of Guardians, members of Emigration Committees, and others, on matter of detail. But I may mention that 44 Unions, or parts of Unions, have been scheduled, and that the applications from these Unions are so numerous and pressing that it has been found necessary to increase the number of Members of the Government Committee from two to six. The anxiety of the poor in the West of Ireland to take advantage of the aid thus afforded to them continues unabated, and the Emigration Committee find it difficult to keep pace with the action of Boards of Guardians in the selection of emigrants, and in making the necessary arrangements for their embarkation, and for their reception and disposal abroad. On the latter point, which is specially referred to in the hon. and gallant Member's Question, I may mention that only those are allowed to proceed to the United States who have friends there able to do something for them, and that the emigrants sent to Canada are generally aided to find employment by the agents of the Canadian Government.

COLONEL KING-HARMAN: Would the right hon. Gentleman give the names?

MR. TREVELYAN: The original members of the Emigration Committee, which perhaps is not a very satisfactory official title considering the nature of the work they do, were Major Gaskell and Mr. C. T. Redington. There have been since appointed Sir Robert Jackson, M.D., C.B., Captain Ross of Bladensburg, Mr. Wall, and Mr. Sampson. The last-named acted as a Vice Guardian under the Local Government Board.

## LAW AND JUSTICE (IRELAND)—BELFAST ASSIZES.

MR. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether a letter has been addressed to Earl Spencer by the Rev. James O'Laverty, P.P. M.R.I.A., Holywood, "as a priest and most loyal subject," representing to His Excellency that—

> "Widespread dissatisfaction is felt by the Catholics of Belfast and its neighbourhood at the insult offered to them, and the want of reliance on both their loyalty and conscience, which has been more than merely implied by the party or parties called 'the Crown,' in the late treason-felony trials at the Belfast Assizes;"

whether it is the fact, as stated in that letter, that on the first of these trials no Catholic was admitted on the jury, which was an exclusively Protestant one, and that on the second trial only one Catholic juror was empannelled; and, whether, in view of the Rev. Mr. O'Laverty's deliberate statement that the proceedings of the Crown officials during these trials "have contributed as far as in them lies to foster rebellion and disaffection" among the Catholics of Antrim, he will advise the Lord Lieutenant to institute an inquiry into the system upon which juries in political cases in Ireland are struck?

MR. TREVELYAN: It is the case, Sir, that the Rev. Mr. O'Laverty addressed such a letter to the Lord Lieutenant; but it is not the case that any jurors were set aside because they were Roman Catholics. As a matter of fact, no inquiry was made by the Crown as to the religious persuasions of any of the jurors on the panel. No exception is ever taken to the cause for which a prisoner challenges any juror, and in case of challenges made by the Crown the circumstances which the officials of the Crown look to are circumstances entirely apart from religious persuasion.

MR. O'BRIEN: Will the right hon. Gentleman say by what fortuitous circumstances it happens that, though the religion of jurors is never inquired into, it always happens that the persons told to stand aside are Catholics?

MR. PARNELL: Will the Chief Secretary inform the House who has given him the extraordinary information which he has just communicated to the House?

[No reply was given to these Questions.]

## OPEN SPACES (METROPOLIS) — ST. JAMES'S BURIAL GROUND, WESTMINSTER.

MR. J. HOLLOND asked the Secretary of State for the Home Department, Whether a report has been received by the Home Office from Dr. Hoffman, Inspector of Burial Grounds, with reference to the disused burial ground, Hampstead Road, belonging to St. James's, Westminster; whether such report contains the following passage:—

> "The importance of preserving existing open spaces in the midst of a large city cannot I think be overrated, and, except for the sake of undoubted public improvement, disused burial grounds should not be disturbed, but should be turfed and planted with flowers and shrubs, and permanently kept in good order. In an Act entitled 'The Metropolitan Open Spaces Act, 1881,' the Metropolitan Board of Works (s. v.) have power to deal with disused burial grounds in this very way:
>
> "In this instance the comparatively large size of the ground renders it still more important that the necessity for the Company's scheme should be carefully considered before any extensive encroachment is permitted;"

whether it is estimated that 50,000 bodies have been buried in this ground; whether he is aware that the London and North Western Railway Company are seeking powers in a Bill now before Parliament to appropriate one-half of this burial ground; and, whether he will lay such report upon the Table of the House.

Sir CHARLES W. DILKE, said, he had to reply to the first three Questions in the affirmative. He believed that the London and North Western Railway Company were seeking powers to appropriate half the burying ground, and there would be no objection to lay the Report on the Table.

### CONTAGIOUS DISEASES (ANIMALS) ACTS—FOOT-AND-MOUTH DISEASE (IRELAND).

Mr. HARRINGTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that all private as well as public sale of cattle has been prohibited in the township of Mullingar, and several other townships in the county of Westmeath, by Orders of Privy Council; whether the April fair at Mullingar was prohibited contrary to the protest of the Board of Guardians, who pointed out to the Council that no case of disease had occurred in the township for fourteen days previously, and offered a site for the fair in an uninfected district; whether, notwithstanding this prohibition of sales and fairs, it still is lawful for any person possessing a certificate to drive sound cattle through an infected district; and, whether drivers and herds who attend one lot of sound cattle are bound to have themselves disinfected before taking charge of another lot, while veterinary and other inspectors may pass from an infected to a sound lot of cattle without having themselves disinfected?

Mr. TREVELYAN: Sir, the townships in the county of Westmeath are not treated exceptionally in this matter. It has been considered necessary to prohibit the holding, except under licence, of public sales and to some extent of private sales, in the district of any local authority in Ireland in which foot-and-mouth disease exists. It was impossible to comply with the application of the Board of Guardians of Mullingar Union for a licence for Mullingar fair, because on the 2nd of April, four days before the usual time for holding the fair, a fresh outbreak of the disease in the township was reported. It is lawful to drive sound cattle through an infected district, with the licence of the local authorities through whose districts the animals are moved; but it rests with each local authority to grant or withhold such movement licences. Drivers and herds who have been attending only on sound cattle are not bound to have themselves disinfected as suggested. The only persons who are required to be disinfected are cattle dealers and drovers arriving at Irish ports from Great Britain. It is the practice of members of the Government Veterinary Staff, who come into contact with infected animals, to disinfect themselves before passing to any other animals.

### POOR LAW (IRELAND)—NORTH DUBLIN UNION.

Mr. JUSTIN M'CARTHY (for Mr. Sexton) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that, on the 18th instant, the North Dublin Union Board of Guardians elected Mr. James Jenkinson, ex-petty officer of the Navy, to be master of the Union Workhouse; whether the public advertisement, by which the Board invited candidates to present themselves for the vacant offices, specified, among the conditions of election, one, expressed in the following terms, "a knowledge of the duties indispensable;" whether it is the fact that Mr. Jenkinson's official experience, being confined to the Navy, afforded him no knowledge of the duties of a workhouse master; whilst Mr. Thomas Murphy, the candidate second on the poll, had nine years' experience of the duties of the office, as Master of the Kilkenny Workhouse; and, whether the Local Government Board will decline to sanction the election of Mr. Jenkinson, because of his failure to satisfy the indispensable conditions, and will declare Mr. Thomas Murphy, as the candidate, satisfying all conditions, who received the highest number of votes, duly elected to fill the vacant office?

Mr. TREVELYAN: Sir, the facts are, in the main, as stated. The question of sanctioning Mr. Jenkinson's appointment is still under the consideration of the Local Government Board, who have instructed their Inspector to report as to his fitness for the office. The only question the Board have to decide is whether they can sanction Mr. Jenkinson's appointment or not. They have no power to declare Mr. Murphy elected.

## PEACE PRESERVATION (IRELAND) ACT, 1881—EXTRA POLICE TAX—THE KING'S CO.

Mr. JUSTIN M'CARTHY (for Mr. Sexton) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that, in the levy of extra police tax on townlands, in the district of Eglish, King's County, the only persons exempted from the tax are Mr. George Mitchell, son of the Sessional Crown Solicitor, and Mr. W. Maxwell, Mr. Mitchell's brother in law; who suggested or caused this exemption; whether it was known to, and approved by, the superintendent magistrate of the district; and, whether the reasons for it, if any, were made known to His Excellency the Lord Lieutenant, and obtained his sanction?

Mr. TREVELYAN: Sir, the facts as to the exemption are as stated. It was recommended by the Resident Magistrate and Sub-Inspector of the District, approved by the Special Resident Magistrate, and sanctioned by the Lord Lieutenant, to whom the reasons were made known.

## ARREARS OF RENT (IRELAND) ACT—THE EMIGRATION GRANT.

Mr. KINNEAR asked the Chief Secretary to the Lord Lieutenant of Ireland, What is the cause of the delay on the part of the Board of Works in lodging the grant for emigration purposes under the Arrears Act; and, whether he is aware that, in the Letterkenny Union, county Donegal, the contracts are entered into, the emigrants ready, and no money to hand?

Mr. COURTNEY: Sir, I learn by telegram that the emigration grant to the Letterkenny Union was paid on Saturday. So far as I can ascertain, there has been no avoidable delay in dealing with the case.

## LAW AND JUSTICE (IRELAND)—LICENSING SESSIONS, DUBLIN.

Mr. ARTHUR O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. Edward Quinn, of Newport Street, Dublin, was refused the renewal of a beer dealer's licence at the annual Lisensing Sessions held for the city of Dublin in October, 1878, on the ground of habitual violation of the law; whether Mr. Quinn afterwards made repeated applications for a licence both at the Police Court and at the Recorder's Court, these applications being refused; whether, on June 13th 1882, Mr. J. A. Curran, Q.C. on of the Dublin Divisional Magistrates, heard an application by Quinn out of Annual Licensing Sessions, and granted the licence which had been refused thereat; and, whether Mr. Curran had been counsel for Quinn in his repeated and unsuccessful applications before the Recorders and Police Magistrates, and if there were any special grounds, as required by Law, for hearing the case out of the sessions fixed by statute for the purpose?

Mr. TREVELYAN: Sir, it is the case that in October, 1878, Edward Quinn was refused a renewal of his beer dealer's licence. The licence for which, both before and since that forfeiture, he has several times unsuccessfully applied was a publican's licence, which is quite a different and more important kind of licence. This he has never obtained. In 1877 he made the earliest of these applications, and on that occasion only he was represented by Mr. Curran. With regard to the renewal of his beer dealer's licence, it has been the practice for the Dublin magistrates to renew such licences after lapse of three years, if applied to, as they considered that in most cases loss of trade for three years was a sufficient punishment. Acting in accordance with that practice, Mr. Curran last year renewed Quinn's licence as a beer dealer. I have received a letter from Mr. Curran, in which he informs me that upon that occasion he had not the slighest recollection of having represented Quinn five year previously in his application for the larger licence, and it cannot be for a moment supposed that he was in any way influenced by that circumstance. It will be seen from this statement that there is no ground for the allegation that Mr. Curran granted to Quinn a licence which he had been refused by other authorities, and I see no reason to find any fault with Mr. Curran's action in the matter.

## PARLIAMENT — BUSINESS OF THE HOUSE—THE LONDON GOVERNMENT BILL.

Mr. FIRTH asked the First Lord of the Treasury, Whether the Government still hope and expect to be able to introduce the London Government Bill to the consideration of the House during the present Session; and, whether, in arriving at a decision on this point, they have considered the enormous evils and loss attendant upon leaving the various questions of Metropolitan reform, and especially the quest of London water supply, still unsettled?

Mr. GLADSTONE: Sir, to the latter part of this Question, I have no hesitation in saying that I regard the further postponement of the consideration of this subject as a serious public evil and inconvenience. Respecting the first part of the Question, I thankfully acknowledge the patience my hon. Friend has shown in connection with this subject; but I am sorry to say I must ask him still further to exercise that patience until we shall have made further progress with the Affirmation Bill. On the latter subject, as it is very doubtful whether those who are opposed to the Bill will have laid their sentiments sufficiently before the House this evening, I wish to remind the House of the practice of continuing *de die in diem*, not including Wednesdays, in order to accelerate the conclusion of these very prolonged debates. Should the debate not close to-night, I hope the House will not think it unreasonable if I move to-morrow that it take precedence of the Notices of Motion.

Mr. HOPWOOD said, that he had a Motion on the Paper for Tuesday night which interested a great number of people, and he wished to know whether he had understood the right hon. Gentleman aright; if so, would the right hon. Gentleman propose his Motion with reference to precedence that night or on Tuesday?

Mr. P. A. TAYLOR: Does the Prime Minister intend to crush the question alluded to by my hon. Friend out altogether, or leave it to the chance of a 9 o'clock Sitting?

Mr. GLADSTONE: The practice to which I alluded was not that of taking Morning Sittings, but was a practice adopted under circumstances of great necessity and public interest, and such necessity has driven me to ask for the appropriation of the evening in order to forward the debate which constitutes, for the moment, the main Business of the House. That Motion will be made at the commencement of the Business to-morrow.

Mr. CHAPLIN: In the event of the Prime Minister to-morrow moving to appropriate the private Members' night, I beg to give Notice that I will oppose it.

Mr. HICKS asked whether the Government would not see the propriety of putting the Customs and Inland Revenue Bill, to which there were important Amendments, as the First Order of the day on Tuesday?

Mr. GLADSTONE: I am sorry that the state of Business does not allow us to hold out any expectation of placing the Bill as the First Order.

Mr. HICKS; Then I shall join the hon. Member for Mid Lincolnshire in opposing the Motion.

Mr. LEWIS asked when the Lords Alcester and Wolseley Annuity Bills would be taken?

Mr. GLADSTONE: I must fall back upon the reply just given to the hon. Member for Chelsea.

## PARLIAMENT—THE WHITSUNTIDE RECESS.

Sir WALTER B. BARTTELOT said, that Members had been working very hard, not only in that House, but upon Select Committees and Grant Committees; and he wished to ask the Prime Minister what time he proposed to allow for the Whitsuntide Holidays?

Mr. HOPWOOD asked whether the right hon. Gentleman meant to take a Morning Sitting to-morrow?

Mr. GLADSTONE: There will be no Morning Sitting to-morrow. I propose to state to-morrow what the Government think upon the subject of the Question asked by the hon. and gallant Baronet (Sir Walter B. Barttelot); but I may be allowed to say now that it is not a matter which can be disposed of as easily as in ordinary years, because we do feel that Members have been working very hard in Select Committees and Grand Commitees, and, at the same time, we know that the pressure of Business and of subjects is very great, and the time for discussion very scanty.

Mr. T. P. O'CONNOR asked the Chief Secretary for Ireland, if he could state, in view of the fact that several Questions of a legal character had been asked to-day, when the Attorney General for Ireland was likely to be in his place?

[No answer was given.]

## *ORDERS OF THE DAY.*

## PARLIAMENTARY OATHS ACT (1866) AMENDMENT BILL.—[Bill 89.]

(*Mr. Attorney General, The Marquess of Hartington, Secretary Sir William Harcourt, Mr. Solicitor General.*)

SECOND READING. [ADJOURNED DEBATE.]

[THIRD NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [23rd April], "That the Bill be now read a second time."

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir R. Assheton Cross.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

**Lord RANDOLPH CHURCHILL** said, the question before the House was one which appeared to him on examination to be so great that he was quite of opinion that he was wrong not to have left the matter in the hands of those who might have had long and large experience of what was good and what was bad for the government of men. He was bound to say that the difficulty of the debate had been increased rather than diminished by the speech of the Prime Minister. He quite admitted that when he joined with those who, in 1880, began to show resistance to Mr. Bradlaugh, he did not expect that the conflict then begun would ever reach the proportions which they witnessed at the present time. But now they had all gone too far to recede from the respective positions which they had taken up. The widest and most vital issues were involved in the question before them, and he did not imagine that any hon. Gentleman on his side of the House could afford to give way. He listened, as he supposed everyone would in the House, with the deepest interest to the wonderful oration of the Prime Minister on Thursday last; but he must confess, in all shame and humiliation, that there was much of that speech which was far above his feeble comprehension, and which, after an attentive and careful study of it in print, still remained quite beyond his grasp. He thought at times while he was listening to that speech that he had been carried back to the Middle Ages, and was hearing a discourse from one of the fathers or schoolmen of that time. Of this he felt sure, that if Augustine, or Origen, or the Venerable Bede, or Jerome were to revisit this earth for the purpose of propounding some new and strange theological problem, the Prime Minister would meet and confront him and send him back in confusion and dismay. If he might venture on a criticism of that great speech, he would say that he was of opinion that to a considerable extent it was above the question, and that some of the right hon. Gentleman's arguments were of too abstract a nature. One feature of the speech struck him very much. The right hon. Gentleman did not dwell upon the rights of Northampton, or of Mr. Bradlaugh. He did not even mention them, for he knew that in connection with such matters as the House was now considering, Parliament recognized no rights but its own. It had never treated these claims for electoral or representative concessions as rights; it had always regarded them as high and valuable privileges which it was in its power to withhold or bestow, and it had never been guided by any other principle than expediency and policy. The constituencies might elect whomsoever they pleased, and Parliament might admit or reject those who were chosen. When he read of Mr. Bradlaugh going about from place to place, and announcing in the loudest language that he intended to take his seat in that House, Bill or no Bill, law or no law, whether the House of Commons liked it or whether it did not, he simply laughed. Parliament would do just what it thought best, and Mr. Bradlaugh would find that Parliament was a good deal stronger than he. He only thought that when he held out these menaces, and when he summoned mass meetings in the vicinity of Westminster, he was injuring his cause, and only strengthened the determination of the the House to proceed in this matter as deliberately as if no such threats were uttered or meetings held. He did deplore that the Attorney General, the chief Law Adviser of the Crown, should get into such a panic, and with bated breath and artificial solemnity should have warned the House of the peril it was incurring, of the abyss into which it was walking, by resisting a man who defied the law and those who made the law. The Prime Minister did not utter any such warning. He knew that the House of Commons ran no danger whatever from Mr. Bradlaugh. They were not afraid of noisy agitators. "Demagogues," said Mr. Lowe, during the discussions on the Reform Bill, when similar terrors were held up—

> "Demagogues are the commonplace of history . . . . Their names float lightly on the stream of time; they are in some way handed down to us, but then they are as little regarded as is the foam which rides on the crest of the stormy wave, and bespatters the rock which it cannot shake."—(3 *Hansard*, [182] 2117.)

So they might leave the Attorney General isolated in his terror, and discuss this matter with the most perfect calmness. He had said that the question was one of policy; and, in deciding it, the House could not act unwisely if it were, to some extent, guided by the light of the past. Was it expedient to alter the laws of England for the benefit of one man, and that one man not like Mr. O'Connell, Mr. Pease, or Alderman Salomons, representing a large, influential, and respectable class in the community, but representing, as far as they knew, only himself? You could not separate, do what you would, this measure from the person who would be the first to take advantage of it—it was purely and simply a "privilegium." They did not know for certain that there was a single other person in the country besides Mr. Bradlaugh who would be benefited by it; but this they did know for certain, that if there were such persons, their number was comparatively small; and this they knew further, that the number of persons who would be shocked by it, and morally injured by it, was inconceivably vast, so that the measure was, on the first blush of it, a "privilegium" of the most dangerous character. If they could erase from their minds all that had occurred in this House in connection with Mr. Bradlaugh, if none of those events had taken place, and if the Government of this country, acting on the representations of large classes of persons, and on a considerable amount of public opinion, had proposed to abolish all promissory Oaths, from the Oath of the Sovereign on the Throne, to the Oath of the magistrate on the Bench, that would have been a measure of a wide and comprehensive character not altogether out of keeping with the general principles of the Liberal Party; and though it might have encountered some opposition in this House, it would have received from the House a consideration widely different from that which was being given to the present proposal of the Government. The Promissory Oaths Act of 1868 was based on the grounds he had indicated; the object of that measure was not to admit notorious Atheists into the Army and Navy, or into any public offices and positions, but was to reduce the enormous number of promissory Oaths which were at that time incumbent, which were necessary for the performance of the most trifling matters; and it was also, by substituting declarations for Oaths in many cases, intended to meet the conscientious objections of many who, while on great and solemn occasions ready and willing to take an oath, were, nevertheless, of opinion that the indiscriminate multiplication of Oaths was, on many obvious grounds, objectionable, tended to profanity, and detracted from the solemnity of Oaths which were considered to be of value. And that Bill was agreed to almost unanimously by Parliament. It was for the benefit of the whole nation; it was considered and passed deliberately, and in the absence of any religious or political pressure. The circumstances which had led to the introduction of the present Bill were in every detail diametrically contrary; it was not for the benefit of the whole nation, it was for the benefit of one man, and it was brought in in deference to clamour and violence. Let them consider for a moment who were the classes outside who were opposed to the Representative of Atheism. They were the religious, the moral, the law-abiding, and the industrious. Who were the personal supporters of Atheism outside this House? For the most part, they were the residuum, the rabble, and the scum of the population; the bulk of them were persons to whom all restraint, religious, moral, or legal, was odious and intolerable. Why were they so anxious to give these latter a victory and a triumph over the former? What good object could they possibly expect to gain by such a course? Further, the design of the Government had been carried out in the most unfortunate manner that could have been selected. The Bill proposed that Members of Parliament should swear or affirm at their pleasure. What would be the result of this? The Oath and the Affirmation would become Party battle-cries. The House would divide into jurors and non-jurors. The Radical Party, remembering the origin of the Bill, would, of course, for the future, affirm; and the idea would rapidly spread that the Affirmation, undoubtedly less solemn than the Oath, would more conveniently cover and allow of Republican and revolutionary enterprizes. On the other hand, the Tory Party, faithful to the Constitution, would, of course, adhere to the Oath, always willing to testify, in the most solemn manner, their loyalty to the Throne and to the institutions of their country. Was it wise or politic to make new Party distinctions in this country, based on such a difference as that? The whole speech of the Prime Minister, if it meant anything, was directed against all promissory Oaths. He said the Parliamentary Oath now had become merely a Theistic test, and, as such, was unsuited to its purpose. But he forgot that he was responsible for the present form of Oath; if it was a Theistic test, it was his fault. The Parliamentary Oaths Act of 1866 was the work of the right hon. Gentleman; he did not object to a Theistic test then; but, if he objected to it now, why did he not do away with it altogether? Why did he adopt a particular form of Bill which might have the effect of connecting an Affirmation with Atheistic opinions, and of denoting to the House and the public the individual who held such opinions? They were told that the Oath was useless, because any Atheist could take it. He maintained that no Atheist who acted in the manner adopted by Mr. Bradlaugh could take the Oath. By the law and Constitution of England an avowed Atheist could not take an Oath. Let the House remember what occurred in 1880. Mr. Bradlaugh came to the Table, and stated that he claimed to affirm as one of those who, by virtue of the Evidence Law Amendment Act, was entitled to affirm. That was the only knowledge which the House had, or could have, of his being an Atheist; because it was only Atheists who, on those grounds, under that Act could affirm. They had nothing to do with his writings; they had only to consider his acts. What did this action of his mean? It did not mean that Mr. Bradlaugh had the slightest conscientious objection to taking an Oath—they knew that he was quite willing to take the Oath afterwards, and had no repugnance to it. The only meaning his action could have was that by it he meant to inform the House of Commons, in the plainest way he could, that the House of Commons was entirely given over to superstition, that their most solemn forms were ridiculous and obsolete, and that he would be no party to them. Mr. Bradlaugh's action in claiming to affirm was a deliberate and premeditated avowal of Atheism to the assembled House of Commons, and a declaration of war against Christianity; and the first attack upon the fortress was the repudiation of the Oath of the House of Commons. For his part, he made no complaint. If Mr. Bradlaugh liked to run a tilt against Christianity, let him do so in the name of whatever master he might serve. But he asked hon. Gentlemen opposite and the Prime Minister, if they could wonder that the glove thus rudely thrown down was promptly taken up; that an army in defence of Christianity at once sprang into life; and could they wonder that they were not prepared to give way now, when a Bill was brought in which was to give a complete victory to Mr. Bradlaugh? It was said that Mr. Bradlaugh could take the Oath in the next Parliament. That he (Lord Randolph Churchill) denied entirely, unless the law was altered. Parliament was seized of the fact that Mr. Bradlaugh was an avowed Atheist, and therefore could not take the Oath; the fact was stated in the Records of Parliament and every Successor of Mr. Speaker would be bound to follow the valuable ruling which he laid down when Mr. Bradlaugh first presented himself at the Table and claimed to make an Affirmation. By that ruling Mr. Bradlaugh's right to take the Oath might be called in question at any time, and the Speaker would be bound to remit the claim and the objection to the consideration and judgment of the House of Commons. Now the Government asked Parliament to do for Mr. Bradlaugh—who, for all they knew, stood to all intents and purposes absolutely alone in the country—what Parliament did not do either for the Roman Catholics or for the Jews; and, more than that, Parliament was to do it immediately, and in obedience to the first demand. Did Parliament abolish the Oath for the Catholics or the Jews when they refused to take the Oath? Not at all. It altered the Oath, but it refused to part with it. Catholic Emancipation was the necessary consequence of the Union; we could not continue to withhold from 8,000,000 or more of our people Constitutional privileges; but the Catholics waited 29 years before their difficulties were removed, so fearful was Parliament of tampering with the Oath. But, at any rate, when Catholic Emancipation was granted there was no question of endangering the Christian character of the Constitution. The Catholics were as faithful and as loyal guardians of that as the Protestants; all the tenets of their religion were on the side of a Christian law; and it was, without doubt, those considerations which finally induced both Parties in the State to grant them the same privileges as the Protestants. Well, of course they were told, over and over again, that when they admitted Jews into Parliament they destroyed the Christian character of the Constitution. He absolutely and totally denied that assertion. The moral sanctions which controlled both Jews and Christians were in many respects similar. The belief in a Supreme Being and in a future state of rewards and punishments was devoutly held by both, and the Ten Commandments were equally to Jew and Christian the rule of life. There was nothing in the Jewish creed or character which could in the slightest degree detract from any pledge which they might give, or unfit them for public confidence, or deprive them of general respect. He would examine that a little more closely, because, to a superficial observer, it might appear that Jewish Emancipation was the weak point in the case of the opponents of the Bill, whereas it was the strongest. The God of the Christians and the God of the Jews was one and the same. The difference of opinion arose as to the nature and the form; but there was no difference as to the essence or the attributes. Judaism was only separated from Arianism by a degree, or, rather, he should say that Arianism was an improvement, and an advance on Judaism. [*A laugh.*] He did not know why hon. Members should laugh; he was endeavouring to discuss the subject seriously and with gravity. An impartial student of the life and times of Athanasius would have no difficulty in coming to the conclusion that, as far as it was possible and lawful to pry into the causes which regulate the progress of religious thought, it was owing to an accident, or what they called an accident, as much as to anything else that the whole of Europe at the present moment was not Arian. The acceptance of the settlement of that great religious schism, which divided the world at one time into two bitterly hostile camps, depended entirely upon the caprices of a despotic Emperor, the intrigues of an Oriental Court, and upon the hairbreadth escapes of an adventurous Bishop. He had only stated that as an argument that it was not wonderful that in the 19th century, when these facts were known and acknowledged, the State should have been extremely tolerant, when Jewish Emancipation was under discussion, of all forms of Arianism. Now, though nothing could be more distasteful to him than to bring questions of abstract theology into debates in the House of Commons, he could not refrain from reminding the Prime Minister, whom he was sorry not to see in his place, and who dwelt so much on the question of Jewish Emancipation, and drew such large and such unjustifiable inferences from it, that the true Christian not only believed in, but looked forward to, a time when the Jewish nation should recognize the doctrine of the Trinity, and when the scattered exiles from Palestine should be exalted far above all the other Gentile races of the earth. There was, then, nothing extraordinary in the fact that the Christian inhabitants of a Christian country should admit people with such a future to equal privileges with themselves. The claims of the Jews for admission to Parliament were so forcibly put by Mr. Disraeli, and contrasted so remarkably with the claims of Mr. Bradlaugh, that he could not resist quoting them to the House. Mr. Disraeli, in doing so, said—

> "I have always, Sir, upheld that opinion because I believed that the Jewish race was that one to which the human family in general has been under the greatest obligation, and when I am told . . . . that by admitting Jews into

> Parliament we are endangering the Christian character of . . . . the community, I must say it does appear to me that it is because we are a . . . . Christian community that the claim of the Jews to enjoy all civil and political privileges is irresistible. Sir, when I remember for how much we are indebted to that people, of what ineffable blessings they have been the human agents—when I remember that by their history, their poetry, their laws, our lives are instructed, solaced, and regulated—when I recall other considerations and memories more solemn and reverential, I confess that I cannot as a Christian oppose the claims of those to whom Christianity is under so great an obligation."—(3 *Hansard*, [133] 961.)

and, in concluding what must have been one of the most powerful speeches he ever made to the House of Commons, he said—

> "I cannot help remembering that the Jews have outlived Assyrian Kings, Egyptian Pharaohs, Roman Cæsars, and Arabian Caliphs, and . . . . it is my conviction . . . . that the time will come when the Jews . . . . will receive in this country full and complete emancipation. . . . . I have faith in that Almighty Being who had never deserted them."—(*Ibid.*, 964-9-70.)

Could Mr. Bradlaugh or any of his crew support their claims for admission to that House by arguments so weighty and so solemn as those? He ventured to say that if any Member of that House advocated the claims of Mr. Bradlaugh by comparing them with the claims of the Jews, he inflicted upon that ancient people a fouler insult and a crueler wrong than was ever devised by mediæval fanaticism. Yet the Jews had to wait many years before the door was opened, so deliberate and so hesitating, but so sure, had been the progress of our Constitution; and finally Parliament did not abolish the Oath for them, it did not allow them to affirm, though that course might have appeared the most natural and the most easy. To admit the Jews into Parliament, an irreproachable race having an immense stake in the fortunes of this country, after nine years of weary waiting, seven words were omitted from the Oath. For one sect only had Parliament made a greater effort and abolished the Oath, substituting an Affirmation—an essentially Christian sect, whose pure lives, peaceful doctrines, and high morality constituted an argument which could not be resisted that the admission into the House of Members of that sect, rather than endanger the Constitution, would adorn the Senate. But here, again, it was long before Parliament took the step of abolishing the Oath, even under such circumstances of absolute security—nay, more, of positive advantage; and he thought it was only in 1858 that the Parliamentary Affirmation of the Quakers became part of the Statute Law. Yet the Quakers did not refuse to take an Oath because they did not believe in the solemnity of it; it was because of their sense of its excessive solemnity that they objected to combining it with matters purely human, and in their adhesion to that objection they were prepared to sacrifice all hope and prospect of distinction or advancement among their fellow men. Contrast this with Mr. Bradlaugh's position, who said—"Rather than be debarred from the advantages of a Parliamentary position I will take your Oath, or any number of oaths, or any kind of them; whether it be on the Testament of the Christian or on the broken saucer of the Chinese, it is all one to me." And this was the man whom the Government proposed to place on a better ground than the Catholics or the Jews, and on the same ground as the members of the Society of Friends. It was well to recall those historical facts in the face of the speech of the Attorney General the other night, who informed them that he introduced this Bill in order to remove the conscientious objection of those who could not tolerate the profanation of the Oath. A more audacious proposition was never before put forward by a lawyer. He took this Bill of the Government, and he stripped it of all those flimsy disguises with which the Prime Minister so ingeniously but so uselessly clothed it, and he placed it naked before the Parliament and before the country—a Bill for the admission of avowed Atheists into the House of Commons—and he said that that was a fundamental change in the Constitution of such vital and momentous importance that the people of this country would not hastily ratify it, and that the opinion of the country must be ascertained before the Parliament could assent to it. The peculiarity of the English Constitution was that it was founded upon, and incorporated with, the Christian morality. It was a characteristic which was possessed by no other nation; however free, or however great; and did it not occur to them that the extraordinary prosperity and duration and apparent future of our Empire was not, perhaps, unconnected with this famous characteristic, and was it not certain that the great statesmen who were concerned in opposing Catholic Emancipation, the admission of the Jews, and the Affirmation of Quakers, were possessed of this idea, and were fearful of this characteristic being endangered or lost sight of? They were not necessarily, as some hon. Members opposite might think, fools, and idiots, and bigots; and yet their steps were extraordinarily cautious. From the days of King Alfred to the days of Queen Victoria, by the Common Law of England, open and notorious Atheists were absolutely incapable of discharging any public duty, or filling any public position of confidence and trust. He was more surprised than he could say to hear this statement contested by the Attorney General and the Prime Minister. It had never been denied till the present day. He knew it was denied by Lord Coleridge the other day; but Lord Coleridge was obtaining an unfortunate celebrity for allowing his political opinions to be incidentally set forth from the Judicial Bench; and though Lord Coleridge might be a distinguished Judge, no one had ever yet claimed for him that he was a great lawyer. His law might be dismissed without further notice. Against Lord Coleridge he would set the far higher authority of Lord Erskine, who, in his great speech on *The Age of Reason*, said—

> "The Christian religion is the very foundation of the law of the land; to profess the Christian religion is the sanction of all our public duties, and the only pledge of our submission to the system which constitutes the State."

In the case of "Cowan *v.* Milbourne," in 1864, long after the removal of Jewish disabilities, where a man had contracted to let some rooms and refused to carry out the contract when he ascertained that they were to be used for the purpose of delivering Atheistical lectures, Baron Kelly said—

> "There is abundant authority for saying that Christianity is part and parcel of the law of the land; and, therefore, to support and maintain publicly the proposition that one who has contracted to let rooms for a purpose stated in general terms, and who afterwards discovers that they are to be used for the delivery of lectures that our Saviour is defective and his teaching misleading, but is, nevertheless, bound to permit his room to be used for that purpose, such a proposition is a violation of the principles of law, and cannot be done without blasphemy."

Baron Martin concurred in that judgment. Baron Bramwell said—

> "I think that the plaintiff was about to use the rooms for an unlawful purpose, because he was about to use them for the purpose of teaching or advised speaking denying the Christian religion to be true, or the Holy Scriptures of the Old and New Testament to be of Divine authority. That being so, his purpose was unlawful, and the plaintiff could not enforce the contract."

But the proposition he had laid down as to the civil disabilities of open and notorious Atheists was incorporated in the Statute 9 *Will.* III., c. 35, "An Act for the more effectual suppressing of Blasphemy and Profaneness," which enacted that a person convicted of—

> "Blasphemous and impious opinions, contrary to the doctrines and principles of the Christian religion, greatly tending to the dishonour of Almighty God, and destructive to the peace and welfare of this Kingdom,"

should, for the first offence—

> "Be adjudged incapable and disabled in law to all intents and purposes whatsoever to have or enjoy any office, or official employment, or employment ecclesiastical, civil, or military, or any part in them, or any profit or advantage appertaining to them or any of them; and if any person or persons so convicted shall, at the time of his or their conviction, enjoy or possess any office, place, or employment, such office, place, or employment shall be void, and is hereby declared void."

That Act was amended in favour of the Unitarians in 1813, but, otherwise, was then in force; so that, in fact, it had, to all intents and purposes, been confirmed within the last 70 years; and the above Statute was in Volume 2 of the Revised Statutes, issued by authority in 1871. If the Government wished to get Mr. Bradlaugh into Parliament — if they wished to qualify Mr. Bradlaugh for holding high Office in their Administration, they ought to repeal that Statute. Dared they do it? He challenged them to put down an Amendment repealing that Statute; but, as a matter of fact, this Bill, in the most insidious manner, without mentioning either Common Law or Statute Law, flew in the face of both. [Mr. NEWDEGATE: Common Law in particular.] He might be told, of course, that these laws he had quoted were obsolete and never enforced, and that many Atheists had sat, perhaps were now sitting, in Parliament, in spite of those laws; and then they had Mr. Gibbon and Lord Bolingbroke thrown at their heads. But, as far as their knowledge of Mr. Gibbon's opinions went, they were not known until he published the 15th and 16th chapters of his History, which did not appear until after he sat in Parliament; and as to Lord Bolingbroke, there were not any of his contemporaries who knew of his Atheistic opinions. The whole was derived from his works, which were posthumous; so that he did not think Bolingbroke and Gibbon did them much good. But, anyhow, he would ask—was evasion of a law a conclusive reason for repealing or not enforcing it? It might just as well be said that, because there was smuggling or illicit distilling, therefore our Customs and Excise Revenue ought to be abolished. Secret or semi-concealed evasion of a law was undoubtedly criminal; but open defiance of a law was not only equally criminal, but far more dangerous; and to say that people who concealed or, at any rate, did not advertise their Atheistical opinions had sat in Parliament was no reason whatever for altering the law in order to admit among the Governing Body of the country persons who boasted of, and lost no opportunity of disseminating, Atheistical and unlawful doctrines. But they must not only think of the relief of Mr. Bradlaugh, or of the relief of that House from a slight difficulty; they must think what would be the effect on the people of this State of a recognition of unlawful doctrines, and of giving a place in the immediate Governing Body to one who professed and who preached that the Christian religion, on which our law was founded, was false, its morality defective, and its promises illusory. Were they not giving to those doctrines a tremendous impetus by altering the Constitution of this country in order that they might be officially represented in our councils and might influence our decisions? Could they contemplate without alarm the revulsion that such an Act might occasion among those masses of the people who, with some hope of a happier state hereafter, were toiling their weary way through the world, content to tolerate, for a time, their less fortunate lot — the revulsion that would occur should they infer from the action of the Legislature that it was even possible that their faith was false? Surely the horrors of the French Revolution should give some idea of the effect on the masses of the State recognition of Atheism. It was from awful disasters such as those that we had been very probably preserved by the Christian characteristics of the community; or, to quote again the words of Lord Erskine—

> "The religious and moral sense of the people of Great Britain is the great anchor which alone can hold the vessel of State amidst the storms that agitate the world."

They were invited to destroy and abolish the Christian character of our Constitution in the name of religious liberty. Religious liberty had nothing to do with this question; if he thought that religious liberty was in danger, he would join the ranks of hon. Gentlemen opposite; but let him ask them to look at it in this way, and if they told him that his argument was an *argumentum ad hominem*, he replied that their legislation was legislation *ad hominem*. Would any Member of that House receive a man holding and boasting, and living by the preaching, of such opinions as Mr. Bradlaugh's into his family by ties of relationship? Would any Member confide to him the training up his sons or daughters, or of anyone connected with him? How, then, could they propose to alter the law of the State in order to give to such a man a higher and far more important post—namely, a share in the providing for the welfare of millions of human beings? If the profession of Christianity were the surest guarantee for the faithful discharge of private and social duties, much more must it be the best or the only known guarantee for those high and important functions on which the character and happiness of our people depended. Mr. Burke, in his writings on the French Revolution, said—

> "All persons possessing any portion of power ought to be strongly and awfully impressed with an idea that they act in trust, and that they are to account for their conduct in that trust to the one great Master, Author, and Founder of society."

This was no question of religious liberty; it was a question of common prudence and common sense. Good Heavens! to think that this banner of religious liberty, which had waved over causes most noble and most pure, which had been carried triumphantly to victory on battle fields, where were elicited all the loftiest emotions of which the intelligence of man was capable, that that banner should now be taken down from its shrine of almost universal adoration in order to attract supporters to the cause of a man to whom religious liberty was nothing more than superstitious licence, and to whom religion itself was but as a mania, as a disease, almost as a crime, to be combatted, scoffed at, insulted, and profaned on every convenient or conceivable opportunity; and that that monstrosity should be perpetrated by the Party who, of all others in those conflicts to which he had alluded, had won for themselves undying fame. He was, however, glad that the Government did not bring up the people of England, or of Scotland, or of Ireland as supporting them in this matter; that they did not try to make them their accomplices in that dark design. The people of those countries were absolutely guiltless of any complicity with the Government. The diminished number of supporters of the Government in that House, the striking results of the various elections at Northampton and in the country, the enormous number of Petitions, confirmed what he said. The Prime Minister told them that they were, on this occasion, to disregard the feelings of the people. He was surprised at such a command from him. What a torrent of denunciation would they have had from him if Mr. Disraeli had ever uttered such a sentiment as that. He firmly believed that it was because the people were certain that from the right hon. Gentleman no changes of this kind were to be expected that they had continually reposed in him such an amount of confidence; and if that Bill were to pass into law, owing to his powerful advocacy, the Christian Constitution of Great Britain might have received a mortal stab from the hands of the man whom the people had armed in its defence and had promoted to its highest honours. He desired now to clear up a little controversy which had arisen between the Prime Minister and the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) with reference to the feelings of the Wesleyan community, also with regard to the signature of the Rev. Mr. Garratt. Mr. George H. Chubb, an eminent lay member of the Wesleyan body, had addressed to his hon. Friend the Member for Portsmouth (Sir H. Drummond Wolff) a letter, in which he said—

> "I am glad to have this opportunity of stating a fact which may be of interest to you. Mr. Gladstone last night said that the President of the Wesleyan Conference had written to say that he was in favour of the Bill; if that is so, it must be in his private capacity, because I have before me a copy of a Petition against the Bill adopted by an official sub-committee only a few days ago, and signed by Charles Garratt, President of the Wesleyan Methodist Conference. This Petition was, however, never presented to the House, chiefly through the action of two Wesleyan Liberal Members of Parliament; and I, therefore, with the concurrence of leading ministers and laymen, sent out a Circular asking for signatures from Members of the Conference and its committees; in a week I have received nearly 1,000 signatures, and others are daily coming in, together with letters from all parts of the country, and from all classes of Wesleyans, which show that the Government Bill 'is opposed to the judgment of mankind.' I may add that almost the whole of these signatures have been received since the Government announced that the Bill was to be non-retrospective."

He might also take this opportunity of stating that up till Friday last 4,854 Petitions had been presented against the Bill, signed by 597,353 people; while the number of Petitions in favour of the Bill was only 1,362, signed by 153,290 people. Thus the proportion was about four to one against the Bill. He was grateful to the House for having allowed him to make these remarks. He was convinced, as strongly as he could be convinced of anything, that, under all the circumstances of that most difficult controversy, it was the bounden duty of the Tory Party fearlessly to have resisted at the very outset these calamitous proceedings, to oppose that man on every occasion, to contest that legislation stage by stage, and to arouse the alarm of the nation. It was, of course, possible—he trusted it was not probable—that in this matter the Opposition might be ultimately defeated; but should that be so, and should the time arrive, as in that case it most certainly would, when *The Fruits of Philosophy* should become the Bible of the people, and when the age of so-called "Reason" should have supplanted the age of Christian morality, at any rate it should then be recognized by a suffering posterity that their great principles were not sacrified, and that their great cause was not lost, except after the bitterest conflict which could be recorded in the annals of a Parliament or in the history of a people. The present Government proudly claimed the task of carrying the cause of religious liberty to its furthest imaginable limits; but be it theirs on this side of the House—nor was it less noble—to endeavour to restrain such aspirations within the bounds of reason and of policy, so that the men of the future, when studying the story of the struggle, would exclaim of the Conservative Party of to-day—"Well, they did their duty."

Mr. LABOUCHERE said, he could not help thinking, while the noble Lord was speaking—"How long is this debate likely to last?" The main object of the noble Lord seemed to be to show that the mantle of Elijah had descended upon him, for his speech consisted of a defence of the admission of the Jews into Parliament entirely because it had been supported by Mr. Disraeli. The noble Lord was frequently cheered by the hon. Member for North Warwickshire (Mr. Newdegate), but perhaps not when he referred to the Jews; because, in opposing their admission, the hon. Member for North Warwickshire said he did not think it advisable that they should have sitting in that House individuals who regarded Our Redeemer as an impostor, a view which was not precisely that of the noble Lord. The noble Lord had said that the Prime Minister's speech was entirely above his feeble comprehension; it would seem, therefore, that when a grand and exhaustive speech like that had been made on the part of the Government, any Member of the other side had only to say that it was above his feeble comprehension, and then proceed to repeat all the allegations and misrepresentations which were current before the speech was made. The noble Lord's views on law and Church history were as much beyond his (Mr. Labouchere's) comprehension as the Prime Minister's speech was above the comprehension of the noble Lord. No one disputed that Atheists had been disqualified for occupying positions of trust, and if the noble Lord had gone back to the time of Elizabeth he might have found Judges laying down that Infidels were the allies of the Devil; but the late Mr. Justice Willes said that the Judges who laid down such law were allies of the Devil. He (Mr. Labouchere) was, however, willing to admit that the speech of the noble Lord was the ablest which had been delivered from his side of the House, for more wretched debating than was exhibited in the speeches of the Opposition he had never heard in his life. He had been accustomed to regard the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) as one of the ablest Members of his Party; but a worse speech than that of the right hon. and learned Gentleman he had never heard. Then a Member of the Hebrew faith came forward to lecture them on their duties as Christians, and to tell them that the right hon. Gentleman at the head of the Government was bearing aloft a banner with Blasphemy and Bradlaugh inscribed upon it. Another Member had told them that the motto on the Royal Arms stuck in his throat, and so he could not vote for the Bill. A Gentleman on the Front Opposition Bench actually told them that if Atheists were allowed to affirm in Parliament they would be allowed to affirm in a Court of Justice, and did not seem to know that Atheists were allowed to affirm in Courts of Justice. The hon. Member for North Shropshire (Mr. Stanley Leighton) got up to answer the speech of the Prime Minister, and said that this Bill was the lowest and basest form of fraud. Had they not now a right to hope that this very orgy of rampant verbosity would at some time cease? Conservatives had been, he admitted, thoroughly consistent, for they had always opposed every attempt to remove disabilities which stood in the way of all citizens equally exercising civil rights. He did not say that they were not actuated by conscientious motives; but he was inclined to think that most of them were actuated rather by Party motives. ["No!"] They wanted to persuade the public that they had a monopoly of regard for religion. But the head of the Party was actuated entirely by Party motives. ["No!"] Well, he would prove his assertion. The right hon. Member for South-West Lancashire (Sir R. Assheton Cross) had defended his Leader from the allegation that he advised that legislation should take place on the part of the Government on this question, and how did he defend him? By saying that it was true he did say that, but that his object was to oppose the Bill. If hon. Gentlemen were satisfied with that statement, he did not wish to disturb their equanimity. The noble Lord (Lord Randolph Churchill) was in many ways invaluable to the Liberal Party. He not only made speeches and wrote articles in reviews, but he wrote letters. Not long ago he wrote a letter which attracted a considerable amount of attention, in which he said—

> "When Sir Drummond Wolff and Lord Percy originally raised the question of Mr. Bradlaugh's claim to take the Oath of Allegiance Sir Stafford Northcote supported the views of Her Majesty's Government; and it was not until Lord Beaconsfield had been referred to, and had expressed a strong opinion that the contention of the Members for Portsmouth and North Northumberland was in accordance with the practice of the Constitution, that Sir Stafford Northcote refrained from supporting the Government against his own followers."

It was well that these facts should be recalled when the Leader of the Opposition was gaining great renown as the Defender of the Faith. Further, a speech had been made by one of the most trusted and cautious Members on the Front Opposition Bench—the right hon. Gentleman the Member for North Lincolnshire (Mr. J. Lowther), who said that the noble Lord and the Members of the Fourth Party were to be congratulated on having brought this subject before the House, and that if they had not interfered it never would have been brought before the House. He (Mr. Labouchere) had now proved his statement. It was clear that the Leader of the Opposition wished to support the Government when they discountenanced interference with Mr. Bradlaugh taking the Oath; and it was only when an appeal was made by some of the Tory Party to Lord Beaconsfield that the right hon. Gentleman, in defiance of his better judgment, assumed the part he had since taken in resistance to Mr. Bradlaugh. He did not complain of this; he only wished the Leader of the Opposition would more often act on his own sensible views, and not be dragged through the mire by the silly gentlemen who supported him. The staple of the debate on the Opposition side of the House had been invention and invective, and the object of the speakers had been to obscure the issues, and to ignore the most palpable facts. It had been stated by the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) that Mr. Bradlaugh had been in intimate relations with the Government for a very long time. Mr. Bradlaugh had written to him (Mr. Labouchere) as follows:—

> "I should be obliged if you would state to the House that there is not and never has been the slightest foundation for the statement made by Sir R. Cross that the late Mr. Adam promoted my candidature at Northampton. In 1868 I stood in opposition to the sitting Member, Lord Henley, and in that election I complained that I owed my defeat to a letter written against me by the present Prime Minister. I never held, directly or indirectly, the smallest friendly communication with the late Mr. Adam before my return, and I always considered that in my election the whole weight of the moderate Liberals had been used against me."

As for the letter written by Mr. Adam respecting the Northampton Election, the facts were very simple. He was himself standing for Northampton at the time, and being in London on electioneering business he chanced to pass by Mr. Adam's office, and thought he might as well look in and ask how the elections were going. Mr. Adam showed his statistics, and expressed his confidence as to a Liberal victory, if but the Party would work together in a united manner. He then remarked to Mr. Adam that the electors of Northampton would not improbably let in a Conservative candidate by the unwise habit of plumping and not splitting their votes, and suggested that Mr. Adam should write him a letter advising them not to do so. This Mr. Adam good-naturedly did; and his letter, written in these circumstances, was the only foundation, if such it could be called, for the statements of hon. Gentlemen opposite. It was a mistake to suppose that that was written after consultation with the Liberal Party. As to the Prime Minister having inspired it, he was in Mid Lothian at the time; and he (Mr. Labouchere) took it that neither he nor his Colleagues were aware that the letter had been written. [*Cries of* "Morley!"] That had nothing to do with the question. Now, a great deal had been said as to the feeling of the country towards the Bill, to which it was said to be altogether hostile. He must say he was surprised that the Opposition should think Liberal Members were actuated by such high and lofty motives that, knowing their constituents were thoroughly against them and would turn them out, they insisted on voting for the Bill. He could believe a great of the Liberal Party, and did not doubt that many of its Members would rather lose their seats than vote against their consciences; but when he found all the Liberal Members, with but few exceptions, intending to vote for the Bill, he could not believe that they were all going to offend their constituents.

Only one Welsh Member was opposed to the Bill, and only eight Scotch Members, a fact which had been controverted in a somewhat illogical manner by the assertion of the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) that only three Irish Members would vote for it. Again, the House had been told repeatedly that the large majority of the very numerous Petitions that had been presented were against the Bill; but the manner in which they had been obtained was not pointed out. It was an undeniable fact that there had been a regular system of paid organization to get them up. Was not the hon. Member for Finsbury (Mr. Torrens) a member of an association by which money was expended to get up Petitions? Were not notices sent all over the country, with stamped envelopes for reply? Mr. Chubb, who had been alluded to, belonged to another organization which sent stamped circulars all over the country to Wesleyans; the other organization sent circulars to members of the Church of England. Was it surprising that, under these circumstances, a very large number of signatures had been obtained? He was surprised that when signatures were so solicited, and when gross misstatements about the Bill had been made all over the country, and people had been told that it was an attack on religion, that its object was to introduce Atheism to Parliament—he was surprised, considering all this, and considering the strong religious feeling of the country, that the signatures should still be counted by thousands and not by millions. With reference to the collection of signatures by paid canvassers, he might add that at Dumfries one of the canvassers had only lately left prison, boys and girls had signed the Petitions; in a village near Halifax a clergyman of the Church of England collected the whole of the signatures of the little children in the schools; at Cambridge, persons were invited to sign more than once; and at a place near Bury St. Edmund's, those signing were requested to sign also the names of their relatives. He did not doubt that many of the signatures were honest; but he complained that Petitions had been promoted by a system of organization, that they did not represent the opinion of the country, and that, in many cases, they were signed by babes and sucklings. His Colleague had asked him to say that he was prepared to prove before a Select Committee that three-fourths of the signatures to the Petitions against the Bill had been collected by paid agents, and among the signatures were several thousands of children under 12; and that the Petition from Northampton bearing more than 6,000 signatures included the names of several babies less than six months old. This was the way in which public opinion was manufactured against what was alleged to be a "Bradlaugh Relief Bill." The opponents of the measure misrepresented not only public opinion, but the Bill also. Mr. Bradlaugh needed no Relief Bill at all, but simply stood aside, not wishing to give the House any further trouble. At the same time Mr. Bradlaugh asserted that he had an absolute right to go to the Table and take the Oath of Allegiance. He was prevented by the House, but he was prevented in defiance of the law. The Lord Chancellor had said that it was his duty to go to the Table and swear. How could it be supposed that Mr. Bradlaugh wanted a Relief Bill? The people who wanted a Relief Bill were the House of Commons. They had committed, and guiltily insisted on committing, a series of illegalities, and they wanted some species of relief. The Bill was not retrospective, and therefore excluded Mr. Bradlaugh from its operation. He might observe in passing that the Attorney General had stated erroneously that the non-retrospective character of the Bill was according to precedent. The Attorney General had followed the precedent of the Roman Catholic Relief Bill, but had forgotten the Relief Bill in the case of the Jews, which was so far retrospective that it did not make it necessary for Baron Rothschild or Mr. Salomons to be re-elected. However, he absolutely denied that this was a Bradlaugh Relief Bill. He absolutely denied that the Bill affected Mr. Bradlaugh more than any other hon. Member. They had been told that this was a Bill to admit Atheists into Parliament. How often must that statement be denied? At the present moment, according to the ruling of the Speaker, Atheists could sit in that House provided simply they held their tongue when they came to take the Oath; and he really was surprised how the noble Lord could possibly entertain the idea that if Mr. Bradlaugh were elected in a subsequent Parliament, and provided he adopted this course, he could be prevented by some new Speaker from taking the Oath of Allegiance. The right hon. Member for South-West Lancashire (Sir R. Assheton Cross) started an exceedingly curious doctrine. He said—"It is perfectly true that there are Atheists in the House; and that provided they do not say they are Atheists at the Table and took the Oath we have no objection; we will look through our fingers." [Sir R. ASSHETON CROSS: Provided we had no knowledge.] That was, practically, the same thing. ["No, no!"] Supposing the right hon. Gentleman had taken the trouble to read the works of some of these men, and did know that they were Atheists, he would have no official knowledge; and, therefore, he would not object. That seemed to him (Mr. Labouchere) to be pretty much the doctrine of the marine storedealer, who, when someone came to sell something, looked through his fingers; he knew that the goods were stolen, but he took care not to ask, and profited by the occasion. The right hon. Gentleman distinguished between Atheists and avowed, notorious, and active Atheists; but he would point out to him that the law drew no such distinction. All would be allowed to sit if they took the Oath, and all would be allowed to sit if the Bill passed by affirming instead of swearing. If the right hon. Gentleman objected to Atheists sitting in the House, and if he agreed with the right hon. Baronet (Sir Stafford Northcote) that this case was a more important question than the repeal of the Corn Laws, why not bring in a Bill or move a clause to prevent Atheists doing what they might do now—namely, sit in the House. That would be far more reasonable than to persist in mis-stating and misunderstanding the purpose of the present Bill. Had the right hon. Gentleman considered what was involved in the religion which he advocated? In this religion, which they were called upon to admire, and to square their legislation to, every human being, provided that he recognized, or said he recognized, something which he called a divinity, was to be included. He might be the most abject and most despicable savage that ever worshipped a block of stone; his god might be a reptile or an obscene image; his god might delight in human sacrifices, or he might be the very Fiend himself; and yet, no matter how debasing and degrading this superstition was, hon. Gentlemen would receive that man into their arms as a spiritual brother. Never was there anything so absurd and so repugnant to the very elementary principles of religion as that which hon. Gentlemen opposite dubbed with the name of religion. He did not wish to say anything to offend hon. Gentlemen opposite; but he could not help thinking that hon. Gentlemen who accused the Prime Minister of having "Bradlaugh and Blasphemy" on his banner, these Defenders of the Faith who told them this Bill was a mean and base fraud—these were the self-righteous Pharisees who, thanking God that they were not as he and others were, denounced them because they dared to say that this had never been, and never would be, the religion of Englishmen. He confessed he did not know what they were talking about when they spoke of their test. Hon. Gentlemen did not seem to understand that there was a difference between a Theist and a Deist. There were plenty of persons who believed in the existence of God, but did not believe in a controlling Providence or in a future state. He would recommend hon. Gentlemen to learn the elements of the case before they discussed it. He was sorry that the Prime Minister, instead of taking the course he had done, had not proposed to do away altogether with any promissory Oath and substitute an Affirmation, for the tendency of modern legislation was, it seemed to him, in that direction. He wished that some of those well-intentioned, but misguided persons, who had signed Petitions, were present when a new Parliament was elected, and when Members were taking the Oath. He himself had been much struck by the thorough profanity of what went on. He need not describe what took place; but there were two matters to which he would call attention. The Prime Minister had pointed out that the kissing of the Book was an essential part of the Oath. Now, he ventured to assert, without fear of contradiction, that a very large proportion of Members never kissed the Book. A batch of, perhaps, 40 Gentlemen came up to the Table, the Clerk read the Oath, and many of them merely pointed to the Testament with their fingers and walked up and signed the Roll. That was not all. There were Gentlemen in that House who had never either taken the Oath or made the Affirmation. [An hon. MEMBER: They must.] He was speaking of what he knew. They had themselves told him so. ["Name!"] He was not going to give names. The common informer might bring an action against them. But how it happened was this—they were new Members, who did not exactly know what the course of procedure was, and they signed the Roll, being under the impression that they were to take the Oath afterwards; and when they asked what they had better do they were told that they had better say nothing about it. Those Gentlemen had made excellent Members, although they took no Oath at all. He really must protest against the attacks made upon Mr. Bradlaugh. Of his speculative opinions on religious matters he said nothing. He disagreed as much as anyone could do with those dreary and forlorn negations which Mr. Bradlaugh put forward; but when it was said that he was a person to be publicly shunned on account of his immoral qualities he (Mr. Labouchere) thought he had a right to protest. The Judge Advocate General had said that the only thing he knew of Mr. Bradlaugh before this storm had been raised was that he had appeared in a police court. Anybody reading that would have supposed that Mr. Bradlaugh had picked a pocket or something of that sort. These sort of allusions were not fair to Mr. Bradlaugh. He appealed to hon. Gentlemen whether Mr. Bradlaugh had not conducted himself as well in that House as anyone else, and better than some hon. Members. He had been his Colleague, and he had found him a perfectly honourable and straightforward man; and he did think it was unfair on the part of hon. Gentlemen opposite to assume that Mr. Bradlaugh was a thoroughly immoral, base man, because they chose to disagree with him upon his speculative opinions as to religion. He therefore protested against the imputations upon Mr. Bradlaugh's character. He could not understand how the Bill could be called a Bradlaugh Relief Bill. The principle of the measure was that Affirmation should be allowed. Had it not been for Mr. Bradlaugh, the introduction of the Bill this Session would, he admitted, have been improbable; but that ought not to induce them to refuse to recognize what was a good and sound principle. Whenever a proposal to remove disabilities was made, hon. Members belonging to the Opposition lost all their pretensions to common sense; and, therefore, it was useless to argue with them. There were, however, some hon. Gentlemen on the Benches opposite to whom he would appeal. The Irish Members, in the course which they proposed to take, were playing with edged tools. Would they, he asked, have been present in that House if the religious disabilities of former times were still in existence? The present Bill was based, they should remember, on the same principle as that to which they were indebted for the removal of those disabilities—namely, that opinions upon matters of religion ought not to act as a barrier to the enjoyment of civil rights. If the House were now to decide that Mr. Bradlaugh could not be allowed to take the Oath because hon. Members did not approve his religious opinions, might it not at some future time be argued that an Irish Gentleman just released from incarceration for violating the Constitution could not be believed, no matter how many the gods by whom he might swear. He thought, from their point of view, Irish Members never made a greater mistake than in opposing this Bill. This Bill contained several issues. The first was, that Members who were elected by constituencies, and were not disqualified by law, had a right to sit in the House of Commons; and, secondly, that an Affirmation was as valid and as binding as an Oath. They could not have two measures of truth; and if they believed the right hon. Gentleman the Member for Birmingham (Mr. John Bright), who made an Affirmation, they could not more believe any other Member who took the Oath. Hon. Gentlemen opposite said that the country was opposed to the Bill. He agreed that that was so until they knew the exact state of the matter; but the Prime Minister had put the matter in so clear a light that he hoped his speech would be distributed through the length and breadth of the land; and he could not believe that anyone, after reading that speech, would not see clearly and distinctly that the supporters of this Bill were the friends of religion, while hon. Gentlemen opposite were acting as its enemies.

Mr. J. G. HUBBARD said, that, although he admired the power and eloquence of the speech delivered by the Prime Minister, and had listened with much pleasure to that of the Attorney General, he had failed to find in either any argument which could shake his confidence in the rectitude of the course which was taken by the opponents of the Bill. He agreed with some of the principles laid down by the Attorney General. The principles which he approved were that—every constituency had a right to elect any person not legally disqualified, and that any disqualification attributed by the House to a Member after his election should be made known to the constituency; that there existed no law disqualifying any elected Member on the score of his religious belief; that Parliamentary Oaths were not religious tests; that they had been proposed for political objects, and as tests of loyalty; and that there was no power in that House to interrogate a Member proposing to take the Oath upon his religious belief. The argument of the Prime Minister that an Oath which had passed through so many changes as this had must, as a religious test, be absolutely valueless or altogether mischievous fell to the ground in the face of his declaration, as well as that of the Attorney General, that the Oath was not a religious test. It had been changed successively to admit Nonconformists, Quakers, Roman Catholics, and lastly Jews. No doubt, the Liberal Party would take the credit for those changes. The Oath, as it now existed, was simply a pledge of loyalty, fortified by an appeal to the high sanction of a Supreme Being. There was no such ambiguity in the words of the Oath appealing to a higher power as the Prime Minister argued. Christians of all sects and Hebrews alike recognized one God; and he looked upon this central point of union as an element of great strength and the essence and foundation of civilization. With respect to the Bill itself, the first point that struck him was that the action of the Bill was dependent upon the volition of those to whom it applied. There was no precedent for making an enactment entirely dependent for its action on those it benefited. The practical effect of making the Oath optional in that manner was to abrogate it altogether. "Thinks fit!" What words to form an introduction to that most important Act—making laws for the whole country! This was not the first time they had had these optional declarations. A Resolution was adopted by the House in July, 1880, enabling a Member, saying that he was what he was not, to assume the privilege of Affirmation exceptionally provided. This Bill pursued the same perverted policy, by seeking to enable any Member—neither being nor having been a Quaker, Moravian, or Separatist—to enter Parliament through the form provided for those Societies. An Atheist could no more make a solemn Affirmation than he could take an Oath, for there was nothing solemn which had not a reference to the Supreme Being. It had been said that Atheists had sat and did sit in the House of Commons, and that the law requiring them to pronounce a sacred name which to them conveyed no meaning was an infraction of their independence of religious convictions. He rejected that allegation. A seat in that House might be an honourable ambition to any man; but it could only be honourable so long as it was obtained by honourable means, and he believed—he was bound to believe—that that House was composed of Gentlemen who would scorn to equivocate or play a false and deceptive part in order to secure a seat there. And now he would say a word upon the true reasons for this miserable Bill. He had felt the sincerest sympathy for the noble Marquess when he was persuaded by political exigencies to take part in the little comedy performed by himself and the sitting Member for Northampton. Cause and effect were then visibly connected. To avert a disorderly scene in the House, and gratify their Secularist supporters, the Government engaged to bring in an Affirmation Bill. They had done so; they had fulfilled their engagement. They promised to bring in a Bill; they did not undertake to pass it. He did not believe they really wished that a Bill like this, fraught with such consequences to the peace, the order, the morality, and the credit of the country, should pass. The Prime Minister pleaded that he promoted this Bill in the interests of justice. Justice towards whom? Northampton and its elect were in his argument; but might they not claim justice for that House and for all the constituencies of the country? It was true that no legal disqualification attached to Mr. Bradlaugh when first elected. It was true again that there was no precedent for the course taken by the House in refusing to allow him to take his seat; but it was true, also, that the circumstances under which the House intervened were equally unprecedented. Never in the history of this country had such an event as the Bradlaugh incident occurred. A person returned to Parliament claimed to affirm upon the plea that the Oath had no binding effect upon his conscience, and when his claim to affirm was negatived he demanded to take the Oath, which he had previously declared to be an unmeaning form. He first denied God, and then offered to invoke Him. The House, in the absence of precedent, resolved that it would not permit a profanity of which it was sought to be made an accomplice. The voice of the country had declared, and at a General Election would declare, that the House, acting within its legal rights, had exercised its authority, so as to entitle it to the gratitude of all loyal and religious subjects of the Queen. No law prescribed the dress in which a Member should appear to take the Oath; but if he presented himself at the Table in the undress of a pugilist, the indignation of the House would speedily expel him, and yet the personal indecency would be a less flagrant offence than the moral indecency of a man coming with blasphemy on his lips. The pretence that the Bill was the only means of escaping from mob law in Trafalgar Square, and of averting violent disturbances within the House was contradicted by past experience. The efficient police under the orders of the Speaker and the authority of the Home Secretary would easily quell any disturbance and maintain order in its vicinity. If this Bill was to be pressed, the voice of the country ought to be ascertained upon it. The Bill virtually abrogated the Oath and solemn Affirmation hitherto in use; for if the Oath was rendered optional no one would feel bound to take it at all. The Oath was taken as a duty owed to the State and to the Crown; but if it was rendered optional, surely there would be no reason for taking it at all. To an Atheist the words of a "solemn Affirmation" lost their sense. A distinction had been rightly drawn between an attempt to exclude Atheists, which must be a failure, and the exclusion of an avowed Atheist, which had been proved to be practicable. With an Atheist the House could not deal at all, for it could not ascertain his secret thoughts. The Atheist they could not exclude, although, as an Atheist, they regarded him as unfit to be a legislator; but an "avowed Atheist"—a man who, within the House, declared his disbelief in a Supreme Being, to whom he would hereafter be responsible—declared, at the same time, his incapacity to give any reliable assurance of his truthfulness, and declared himself unfit for a civilized community, which must be based on mutual confidence and trust. Should the requirement of Oaths be altogether abolished? Oaths were interwoven with man's history from the very earliest ages; and in our own country they had been interwoven with the Constitution, with the administration of the law, and with the function of legislation. If Oaths were no longer required from the legislator, would they be required from ecclesiastical dignitaries, from Judges, and from State officials? If they were no longer requisite as from the subject to the Crown, could they be required to bind the Crown towards the subject? The trust reposed in a legislator was one of the most important; and he thought the Prime Minister, when he charged those who opposed the Bill with being indifferent to religious liberty, and said they would admit such as Voltaire, entirely misjudged those who resisted the measure. The law as it stood he held it was their duty to uphold, because he was certain that the abrogation of it in present circumstances, and with the transparent evidence of the motive for which it was done, would have a most serious effect upon the public morality of the country. If the Government were determined to press this Bill upon the House, they were bound, first of all, to appeal to the country; without doing so, they had no right to make a change in the law of such immense magnitude. If the Government did appeal to the country, he was not in the least degree doubtful as to what the verdict of the country would be. The English were essentially a God-fearing people; they read and reverenced their Bible; they would recollect that it was written in that Book that "the fool hath said in his heart, There is no God;" and they would unmistakably declare—"We will not allow fools to make the laws of England."

MR. W. H. LEATHAM: Sir, I fear I cannot fairly criticize the speech of the right hon. Gentleman the Member for the City of London (Mr. Hubbard), because I did not hear the whole of it. After the luminous and exhaustive speech of the Premier on Thursday last it may seem unnecessary for me to say a word; but as I have constituents who have, in my humble opinion, entirely misunderstood this Bill, I seem obliged to make some statement, because I do not wish to be misinterpreted in the vote I am about to give in favour of the Bill. If I thought, Sir, that I was passing a slight on the Divine Being, whom we all revere, nothing could induce me to support the Bill; but I am unable to see how this can be the case, for the Oath remains for those who took it before, and the Affirmation remains for those who do not wish to take the Oath; but some hon. Members are pleased to say that the Affirmation was conceded to the Quakers, Moravians, and Separatists, as religious bodies, who dislike the Oath, but, being religious persons, will respect the Affirmation. I ask, why should not an Atheist respect the Affirmation? Differing as I do from the Atheist in my own opinions, I cannot see any law by which he can be legally deprived of his rights as a citizen; neither do I see why he should be expected to tell a lie because he is an Atheist. I know that the clergy and a large number of the Wesleyan ministers, 950 out of 1,300, have taken up an opinion that, because a man is an Atheist, he is not to be admitted into this House. This is simply making a new law for Parliament. A good deal, Sir, has been said about Petitions, as if they were spontaneous productions, showing the minds of the people. I happen to know how the only small Petition I have presented against this Bill, out of a large constituency, was prepared and got up. It came from the village where I reside—in Yorkshire. It emanated from the rectory. It was sedulously carried about by one of the rector's sons. It was brought to my house, and was signed by my wife, by my son and daughter, and by some of my servants, whilst I was in London. It contained rather over 400 names, and amongst these I counted 110 persons who had made crosses, being unable to write their names. Now, I do not wish to say a word against the young man who carried it round, nor do I know what arguments he used to induce people to sign it, for I believe he thought he was doing God service; but I entirely doubt that this multitude of Petitions is a spontaneous growth of the English mind, but the result of mistaken zeal on the part of the clergy and others. I think, after that magnificent speech of the Premier on Thursday night, some of these parsons must feel a little ashamed of having roused up the minds of their flocks by arguments which will not hold water, and which, to say the least of the case, were not reconcilable with justice or the rights of citizenship. But, much as we may dislike the opinions of Mr. Bradlaugh, we must see that even-handed justice is done, both as regards himself and the constituency he has been duly elected to represent; and for that reason I shall vote for the second reading of the Bill.

MR. WHITLEY: Sir, if I could give a silent vote on this Bill, I should much desire to do so; but, representing, as I do, a large constituency which opposes this Bill, I feel that it would be inconsistent to the duty I owe to them if I were not to express, as strongly and ably as I can, the great objections which I entertain towards this Bill. I have listened very attentively to these debates; but I will only refer to two speeches which deal with the matter—the speeches of the Premier and the Attorney General. The eloquent tones of the Premier seemed to carry us away; but when we come to read the speech over and consider the burden of it, I think we must all be convinced of this—that the Premier was speaking against his own convictions, and against the principles he has so long, so often, and so eloquently maintained. A few years ago in this House he said that religion was interwoven with the life of this country, and that he would never be a party to anything that would take it away—that the very foundations of the country were based on religion, and if they were interfered with, they would, by an easy transition, be overturned. Those were the words the Premier used at the time. We were told of a change, and we asked ourselves what is the cause of the change, in the Premier's views, and we paused for a reply. No reason has been given for a change of view, no arguments have been adduced which would weigh with any Member of this House if they were calmly reviewed. What had the arguments been? The argument of the Attorney General and of the Premier was this—that we at this time were contending for Theism, that religion such as we have known, such as we believe it has been in the House of Commons and of the country, was not involved in the question, but that it was a mere matter of Deism. I confess I was struck—and I believe a great many Members were also struck—to see the ingenuity with which the Prime Minister diverted the views he entertained on this question. He told the House that these Oaths were not a religious test, and he went to ancient history to prove it. But I think he must have proved conclusively to the satisfaction of this House that they have been held as religious tests. What was the meaning of the debates on the Catholic Emancipation Bill, or on the Bill for the admission of Jews to Parliament, if these Oaths were not looked upon as religious tests? The Premier went on to say that those grounds had become defective; and he ventured to tell us that we were contending for a mere rag and remnant of bigotry. I am not conscious of any feeling of bigotry; but there is such a thing as duty—a duty which we owe to our constituents, a duty which we acknowledge when we take the Oath. It is to that duty we address ourselves in endeavouring to maintain the sacredness of the Oath by which Members were admitted to this House. And I would ask what has been the cause of the change, or what has been the cause of the introduction of this measure? Will anyone tell me, or attempt to say, that there has been an expression of feeling in the country to cause it? How different to the days of Catholic Emancipation, when meetings were held all over the country! But with regard to this measure, there have been no meetings in favour of it, and no expressions of feeling throughout the country. But what expressions of feeling there have been, what meetings there have been, have been expressive of the horror of the country with regard to the introduction of this Bill. In the great constituency which I have the honour to represent, there was a large meeting, many of the attendants being of all shades of politics, presided over by a man who had been a strong Liberal all his life, and he was surrounded by men of every religious view; and that meeting, by an unanimous vote, sent up a Petition to this House against the Bill, with a letter from the Chairman to me, saying—

> "I have been a Liberal all my life, yet, when the religious institutions of my own country are attacked, I could no longer support the Government."

Such, I believe, are the feelings and opinions of the people throughout the United Kingdom. I do not doubt for a moment that this is a view taken by the constituencies at large; and I do say that in a question of this kind, which so materially affects the future of our country, it is not right that a Government should force through this House a measure that would be ruinous to the future of this country. It is all very well for the Government to tell us that this should have no material bearing on the question; but we are told that there is no virtue in the Oath. If there is to be no Oath in the two Estates of the Realm, what is to become of the Oath taken by the governing Sovereign? Has that question ever been argued? The Prime Minister evaded it, the Attorney General evaded it; and I venture to say that if the Oaths with regard to the two Houses of Parliament are interfered with, there is no security that any Oath administered to the Sovereign would be maintained. Say what you will, this Bill is looked upon throughout the country as a departure from those religious principles which have ever been maintained in this country. Never, in my experience, has the heart of the country been so stirred. We ask you to give us an opportunity of appealing to the country. It is a vital question, for constituencies feel that we are tampering, against their knowledge and against their wishes, with the most sacred condition of a great religious country, who feel that those bulwarks which have so supported and strengthened the country will be removed. The other day the Judge Advocate General taunted us with the remark that we must regard our religion as a very puny thing, if we think it needs the protection of the Oath. We are fully aware that the cause of religion cannot be injured; but the safety of the State may be endangered; and it is because we believe the safety of the State will be endangered—because we say—"You are taking a leap in the dark, the end of which it is impossible to foresee—that you would permit the Government to thrust this Bill through an unwilling House of Commons, that we say let them make it an open question, and we cannot have a doubt then what would be the result of the vote about to be given." But I must say this—that I hesitate to believe that any of the Representatives of the people of England will have the boldness to go against the known wishes of their constituents. I do not believe the constituencies of England, Scotland, Ireland, or Wales will support you in favour of this Bill. The illegality is not the illegality of the House of Commons; but it is the illegality of the electors of Northampton. I venture to say that in spite of all the arguments of the Prime Minister—arguments which I am sorry to hear him use, and supplemented as they were by the remarks of the Judge Advocate General, who said in that most extraordinary, that most inconclusive speech, that there was nothing to prevent a Fire-worshipper or a Devil-worshipper from coming to that Table to take the Oath—I confess that I heard such statements with horror. It is the inherent right of the House of Commons to protect itself; and if a Fire-worshipper or a Devil-worshipper presents himself at that Table, it is quite right for the House of Commons to do as it did in the case of Mr. Bradlaugh—prevent him from swearing at that Table. It is idle to bring up such cases as these. It is only to deceive the House of Commons and the country. But Englishmen, when cool and collected, will not be led away by such illustrations as these. They know—and everyone knows at the present time—that call this Bill what you may, it is simply a Bill to admit Mr. Bradlaugh into the House of Commons. Speaking for thousands—nay, millions—of the working classes of this country—speaking on behalf of many happy homes, which thrive under the religious institutions of this country, who believe that those institutions are safe in the custody of the Representatives in this House—I do ask the House to throw out a Bill which would be dangerous to the interests of the country. Let us not be afraid to give expression to our views. Let us endeavour to free the matter from the influences of Party. It can never be made a Party question. Let us maintain the Oaths which the Premier said a few years ago were interwoven with our public life, which he never would surrender. I have heard that we on this side of the House do not falter in our earnest convictions. We have no personal antipathy to Mr. Bradlaugh; but we hate and detest the doctrines which he advocates. We say they are dangerous to this House of Commons, and that it ought not to encourage them, and we ought to show our view of the miserable Bill by saying "No." And I ask you to appeal to the constituencies of this country; and I venture to say, if you do, they will return to this House men whose Oath this Bill seeks to destroy.

**Mr. LYULPH STANLEY** said, that in regard to the constituency he represented he had never, during three years, heard but one expression of opinion, and that was in favour of sustaining the rights of the electors of Northampton. He did not take the view of the Bill which many hon. Members on the opposite side of the House had done. Because a large majority of the House of Commons, or the large majority of the people of this country, disliked and shrank with abhorrence from the views of the Member for Northampton, that was not a reason why they should deny to that Member, or any elected Member, his rights. There had been Members of the House, of the highest position and respectability, who had been perfectly well known in society to hold opinions of an extremely negative character. If, however, they once laid down such a doctrine they might not stop there. It had been indicated by the senior Member for Northampton (Mr. Labouchere) that the time might come when other opinions, even political opinions, might be brought in review. But he wished to say that though they quite understood how generally all people in this country disliked the views which had been expressed by Mr. Bradlaugh, he thought quite as many men had been affected by his political and social views. But it had been admitted almost on every side of the House that the House neither had the power, or ought it to have the will, to exclude an Atheist. Everyone admitted that this Parliament, for the time of its duration, was able, contrary to law, by an arbitrary act, to prevent Mr. Bradlaugh from coming to the Table and taking the Oath. But it was generally admitted that if Mr. Bradlaugh, with all his notoriety, were to be re-elected in a new Parliament, and were to come to the Table, there was no power in the House that could prevent him taking the Oath. It was not, therefore, as had been contended, a Bill of relief for an individual, except to the extent of the two or three years during which the present Parliament might have to run. Therefore, the Bill was a relief for the majority of the House, and not for an individual Member. He agreed, however, that he should have preferred some other legislation than this. He would have a Member come into the House as he came into a Town Council or any other elective body. Let his election be authenticated, and let him take his seat. The whole tendency of modern legislation had been to set aside these Oaths and to substitute an Affirmation; and he could not help thinking that, if there must be any declaration, it would be far better to have a statutory declaration. What was the value and meaning of the Oath to which so much importance was attached? He would point out that the whole history of these Oaths came down from barbarous times. He felt sure that nine-tenths of the Members of the House, if they were asked whether they considered the obligation of allegiance to law and the Crown were enhanced because they had taken the Oath at the Table, would say that it was not. It was said that the object of the Oath was as a guarantee of allegiance; but what value in practice could be attached to the Oath as binding on the allegiance of hon. Members? They had seen a Convention meeting in Philadelphia to consider whether they should advocate a simple revolution, or whether they should add dynamite to their mode of proceeding; and they had received from England, from a Member of the House who had taken the Oath of Allegiance, letters and telegrams which, although couched in guarded language, were expressive of sympathy and approval. What, then, was the value of the Oath of Allegiance? Some of the most earnest men held a position towards received modes of thought which made them shrink from formulating their religious views. Carlyle was certainly opposed to materialism; yet he shrank from giving formal expression to his religious thought. Tennyson, in a well-known passage in his *In Memoriam*, summed up the varying views of this subject with the expression "behind the veil;" and he had understood that even the Member for Northampton rejected the doctrine of Atheism in its popular sense, his position being rather that he was unable to apprehend the meaning of the word God as ordinarily understood. [Mr. BRADLAUGH dissented.] Whether that was so or not, he had been informed by a Roman Catholic Member of the House that St. Thomas Aquinas felt that difficulty. ["Oh, oh!"] At any rate, was it wise to raise this storm in the country, and to alarm a great many ignorant consciences, and to begin a warfare which would result, sooner or later, in the establishment of the same religious freedom both for the Atheist and the Freethinker? It must be remembered that religious freedom did not mean merely freedom for religious people. Religious freedom must be freedom to form whatever conclusion on this subject the thinker pleased, whether positive or negative; and the present controversy was educating the people of the country to identify the cause of political justice with the cause of extreme religious freethought, and on that ground he disapproved of the present agitation against the measure.

MR. M'COAN said, he had listened with great satisfaction to the able speech of the hon. Member for Oldham (Mr. Lyulph Stanley); but he desired to correct the erroneous impression it was likely to convey as to the real character and tendency of the opinions and teachings of the hon. Member for Northampton. That Gentleman had stigmatized Christianity as a system at once intolerant, bigoted, and false. On another occasion he had said—

> "Christianity has been a corroding, eating cancer, poisoning our life-blood, the enemy of progress, and the foe of science. What is Christianity? A blasphemy against humanity, a mockery of humanity, which has crushed our efforts and cursed our hopes."

He would only quote one other extract, which related to the character of Christ—

"The plan of salvation by an atoning sacrifice is repulsive in its details and immoral in its tendency. Christ's mission was a sham. In his agony he proved himself a coward, and on the Cross his language proved that he himself had been deluded, and that he believed that he had deluded others."

Mr. BRADLAUGH (loudly, from his seat under the Gallery): No!

The DEPUTY SPEAKER (Sir Arthur Otway): Order, Order!

Mr. LABOUCHERE: Perhaps the hon. Gentleman——

The DEPUTY SPEAKER (Sir Arthur Otway): Does the hon. Gentleman rise to Order?

Mr. LABOUCHERE: I rise to ask the hon. Gentleman whether he will be good enough to state from what source he is quoting, and what is his authority?

Mr. M'COAN: I perfectly understand the object of the inquiry, and, out of courtesy, I shall willingly answer it. I am quoting from a publication the accuracy of which has never been questioned, containing extracts from Mr. Bradlaugh's works, as published in a newspaper he edits, and other authentic documents. If anyone questions the accuracy——

Mr. LABOUCHERE: May I ask the hon. Gentleman by whom they are published?

Mr. M'COAN: These statements have not been repudiated by Mr. Bradlaugh.

Mr. LABOUCHERE: The hon. Gentleman, perhaps, has not seen the contradiction; but they have been denied by Mr. Bradlaugh over and over again.

Mr. M'COAN: The statements I have quoted appear to have been made on various occasions. One of them is taken from page 12 of the report of Mr. Bradlaugh's discussion with the Rev. Mr. Robertson, the authenticity of which, I believe, has never been questioned. Another is from the discussion with Mr. Holyoake, a Secularist, but a man of a very different kind from the Member for Northampton. Both these discussions were public, and the reports of both were published. The third quotation is from the Newcastle discussion. None of these, to my knowledge, have ever been questioned.

Mr. LABOUCHERE: I rise, Sir, to Order. I wish to ask you if the hon. Member has a right to state that these extracts are taken from the works of Mr. Bradlaugh, when Mr. Bradlaugh has absolutely denied that they are to be found in any published work of his, and when he has denied these statements?

The DEPUTY SPEAKER (Sir Arthur Otway): That is a question for discussion, not a point of Order. If the hon. Member has made a statement which cannot be substantiated, it can be contradicted in discussion.

Mr. M'COAN said, that Mr. Bradlaugh was also a part proprietor of *The National Reformer*. He held in his hand a bundle of similar quotations from that publication; but he would not trouble the House with them. He would now approach the simple issue before the House, which was, What did the present Bill propose to do, and for whom did it propose to do it? As he read the Bill, fence it as they might, its effect would be to dethrone the Supreme Being in that House, and to wipe out the name of God from the records of Parliament. At present, if Parliament were no longer unsectarian, it was, at all events, a Theistic Body, a Body believing in God. But this Bill would do away with the name of God altogether from the House. The Attorney General, in his speech, told at length the history of Parliamentary Oaths. But there was one great defect in that speech. He had concealed or overlooked the fact that, although such Oaths might have been primarily imposed for political purposes, and not as a theological test, yet they derived their whole force and value from the religious sanction which was inherent in them. The hon. and learned Gentleman had also concealed the fact that in the case of Quakers, and other persons allowed to affirm, their Affirmation was intended to be, and was, as religious as the Oath. If the Oath was now to be replaced by an Affirmation which retained the religious element and implied a sense of responsibility to God, in whose Name they made laws, he would not be much disposed to quarrel with such a change. But they were now asked to have an Affirmation which implied no sense of religious responsibility whatever. This might, perhaps, suit the tender conscience of Mr. Bradlaugh; but were they who knew his opinions and his teachings—which were alike odious and abominable—to regard his Affirmation as of equal moral value to that, say, of the late Chancellor of the Duchy of Lancaster? Could the two be placed on the same level? It had been held by the Courts of

Law that Mr. Bradlaugh could not affirm. With all deference to the opinion of the Attorney General, he believed also that Mr. Bradlaugh could not legally take the Oath. The fact was that, in bringing in this Bill, the Government had yielded to Radical pressure. No one who had spoken in favour of the measure had attempted to show that since 1868 any necessity had arisen for legislation on that subject, except in the solitary case of Mr. Bradlaugh; and it was trifling with the intelligence of the House, and with truth itself, to seek to deny that the object of the Bill was simply and solely to relieve him. So obvious was this that it was at first proposed to make the Bill retrospective; but that was more than some Gentlemen on the Ministerial side would swallow, and accordingly it was made prospective. That, however, was a change in form rather than in substance, because, if the Bill passed, Mr. Bradlaugh would go through the farce of another election and again present himself at the Table; so that no real concession would be made to the general feeling and conscience of the House. Another fallacy which pervaded the reasoning of the advocates of the Bill was the pretence that it was only another link in the chain of religious liberty, and that, as they had first admitted the Roman Catholics, and then the Jews, they should now logically go further and admit Atheists. It was, however, an insult to the intelligence of the House, as well as to the whole Roman Catholic body, to draw any parallel between them and Bradlaugh. [Mr. LABOUCHERE: Mr. Bradlaugh.] He begged pardon; Mr. Bradlaugh. Again, there were Jews who were religiously as good as any Roman Catholic or Protestant. Equally, therefore, was there no analogy between the concession made to them, and this attempt to force avowed Atheists upon the House. The endeavour to establish such an analogy, indeed, only showed the logical straits to which the supporters of the Bill were reduced. Of hon. Members below the Ministerial Gangway he had no hope on this question; but he had faith of the constituencies behind them. He believed that nine-tenths of the constituencies of the Kingdom, if they were balloted to-morrow, would pronounce against the Bill. All Ireland, from Cape Clear to the Giant's Causeway, was against it; but he was sorry to learn that the hon. Members for Ulster had not the courage of their convictions, and, regardless of what they knew to be the unanimous feeling of their constituents, had resolved not to vote. This was a pusillanimity which he could neither understand or respect. If the division on the Bill were to be taken by ballot, he believed that the majority in its favour would be a very small one—if there were, indeed, a majority at all. While a Judge and a jury had sent Messrs. Foote and Ramsey, two of Mr. Bradlaugh's fellow-blasphemers, to Holloway Gaol, a Liberal Government sought to bring Mr. Bradlaugh himself into that House—and, if Mr. Bradlaugh, dozens or scores perhaps like him a year or two hence. If it were, therefore, the last vote he should ever give in the House, and if the fate of the Government were at stake, he would record it against this Bill.

MR. E. A. LEATHAM: Sir, the hon. Member who has last addressed the House (Mr. M'Coan) concluded his remarks with an inconsistency which was quite Hibernian. He told us that if this Bill should pass, 500 Bradlaughs would be returned to this House; but a little while before he had informed us that the Bill was so unpopular in the country that those of us who ventured to support it would all lose our seats. The hon. Gentleman furnished us with a convenient synopsis of the fallacies by which this Bill is being opposed. He said that it was not desirable that avowed Atheists should be returned to Parliament, and therefore he opposed the Bill. Now, the answer to this objection is not far to seek. It is that the Oath does not exclude them. Even Mr. Bradlaugh has expressed his willingness to take it. But beyond this—and here is the very kernel of our contention—even if it were possible to exclude them by an Oath, it would not be just to do so; because, in a country in which men of all creeds and of no creed are freely admitted to the rights of citizenship, and where the right of voting implies the right of being voted for, the Constitution suffers violence when a man not legally disqualified is returned to this House, but is prevented from voting and speaking as the Representative of those who have the right to send him here. The hon. Member opposes the

Bill, also, because it is a Bradlaugh Relief Bill; and he seeks to prejudice the Bill by quotations, or what purport to be quotations, from Mr. Bradlaugh's writings and speeches. I have the authority of Mr. Bradlaugh, who is unable to open his lips in this House, for saying that those quotations are garbled and misleading. They are taken not from printed reports of Mr. Bradlaugh's speeches, but from a pamphlet by a Mr. Varley, which was published in 1880. When Mr. Bradlaugh saw that pamphlet, he wrote to the right hon. Member for North Devonshire (Sir Stafford Northcote), contradicting Mr. Varley's quotations, and offering to submit the truth of these to arbitration; but this Mr. Varley refused. Sir, I think we can afford to be fair, even to an Atheist. Now, I am not here as an apologist for Mr. Bradlaugh. It may very well be that he has written and said many things of which I do not approve. It may very well be that he has said and done some things in the prosecution of this very claim in which he sinned grievously against good taste. But, if what he demands be just, what have sins against good taste, what have any sins to do with our refusal of that? This is not a Court of Manners, or a Court of Morals, but a Court of Justice; and it is altogether unworthy of the judicial reputation of Parliament to deny any man justice, whatever his manners, and whatever his morals may be. Nor is it fair to call this Bill a Bradlaugh Relief Bill. We have passed other Bills for the relief of other classes of Her Majesty's subjects. They are not known as the O'Connell Relief Bill, or the Pease Relief Bill, or the Rothschild Relief Bill. And so it will be with this. It will be known as an instance of the fearless justice of Parliament long after the name of Mr. Bradlaugh in any other connection is forgotten. It will be known as an instance in which Parliament, in its anxiety to do justice, triumphed over pique, triumphed over resentment, triumphed over indignation, triumphed even over those respectable and inveterate prejudices which Mr. Hare thinks are the stopgaps in the hedge of truth, and, like other stopgaps, are often more difficult to get through than the hedge itself. And what, Sir, is the measure of relief which this Bill affords Mr. Bradlaugh? If the Bill were retrospective I could understand the hon. Gentleman's argument. But since it is not retrospective surely the relief is infinitesimal. Where is the hon. Member who, after being compelled to face his constituents twice already in the same Parliament, would find much relief in the fact that when the Parliament was on the wane, and when he knows that on the last occasion he was only returned by the barest majority, he had to face them a third time? But the hon. Member tells us that this Bill will dethrone the Supreme Being in this House. That such an argument should be used at all in an Assembly which day by day opens its proceedings by solemn and Christian prayer only shows how far hon. Gentlemen permit their judgments and their declarations to be warped by prejudice and passion. The real test and proof of our devotion to Christian principle is to be found in the completeness with which we impress it upon the legislation and the policy of this House. And so long as this remains, what does it signify if once in five or six years we omit the dubious spectacle of hon. Members scrambling for places round that Table, swearing by platoons, and kissing the Book in a volley? I do not accuse the House of intentional irreverence; but if this perfunctory performance be all that marks our recognition of the Deity, the Sceptic and Agnostic may go on their ways rejoicing. Now, this Oath is not a religious but a political precaution, and in times in which there is no dispute as to the Succession, it has lost most of its significance even as that. There are some religionists, as the noble Lord who spoke early in the evening (Lord Randolph Churchill) pointed out, who regard an Oath as absolutely forbidden in the Scriptures. Whether we go so far as that or not, we shall all admit that an unnecessary Oath is condemned; and just in proportion as an Oath loses its necessary character does it acquire the character which is condemned. I will go further; I think our whole system of Oaths-taking pernicious; but it becomes not only pernicious, it becomes positively impious, when we compel those to swear who deny the sanction of the Oath; and in that impiety we who compel them to swear, although we do not intend it, make ourselves accomplices. It has been feebly contended that we do not force Atheists to swear, because we do not force them to be returned to this House. That childish argument is of a piece with what used to be said when you forced Dissenters to be married in church. It was said that there was no compulsion, because no one compelled them to be married at all. All imposition of disability is the use of force; and, in conclusion, I would ask hon. Members who are attached to this Oath, and I have no doubt conscientiously attached to it, where in the Book which they kiss they can find a single scrap of authority for the promotion or maintenance of religion by force? Sir, for these reasons I heartily support the Bill.

Mr. HARRINGTON said, that, as the hon. Member for Northampton (Mr. Labouchere) had rather pointed his observations at the Irish Members, he would trouble the House with a few observations. Although it was true that Petitions had not come in so freely against the Bill from Ireland as from different parts of Great Britain, it would be a mistake to assume that Irish public feeling was indifferent to the question before the House. Irish public opinion had been too often and too systematically ignored by that House; and it was only on questions in which very narrow class or personal interests were concerned that the Irish people ever troubled the House with a Petition. For his part, he did not regret this; on the contrary, he was very proud of the self-respect which had inspired such a determination on the part of his fellow-countrymen.. The attitude of the people of Ireland towards the Bill was not one of indifference; it was rather one of disgust; and the hon. Member for Northampton would find that upon this question there was more unanimity among Members representing Irish constituencies than upon any question which for a long time past had come before the House. On the opening night of the debate he had listened very carefully to the speech of the Attorney General, being anxious to know what arguments he had to advance in support of a measure which seemed to him to aim at the very foundation of religion and morality; but he confessed that he was disappointed. It was, perhaps, very ingenious as a piece of special pleading; but it certainly failed to carry conviction to hon. Members, and least of all to the hon. Gentleman himself, for he seemed to be labouring under an uncomfortable consciousness that every argument he advanced told against the principle which he sought to establish. The hon. and learned Attorney General indulged in an historical retrospect; but the right hon. Gentleman at the head of the Government was clearly not satisfied with the retrospect of the hon. and learned Gentleman, and had pursued a different line. The Prime Minister quoted one instance where the House had imposed a test which appeared to be religious, but which the right hon. Gentleman admitted was in reality political—namely, the form of Oath in the Reign of Elizabeth. It seemed to him that this was an unfortunate illustration, which did not support the Prime Minister's position. If there were any analogy between that instance and the measure now before the House it must consist in this—that the right hon. Gentleman and his supporters were convinced of the loyalty of Atheism, and required no test of allegiance and no solemn Oath; while they cast suspicion on the loyalty of the Catholic, the Protestant, the Jew, and the Quaker by requiring them to asseverate their loyalty. The Prime Minister remarked that in the time of Elizabeth the Oath referred to was only required from Members of the House of Commons, the Crown, he said, being satisfied by other means of the loyalty of the Peers. Was the right hon. Gentleman, who would not require Mr. Bradlaugh to take the Oath, "satisfied by other means" of the loyalty of the elect of Northampton? It was an insult to the religious convictions of the Christian and the Jew to say the Crown was so satisfied of the loyalty of Mr. Bradlaugh—of Atheism—that they would only require him to take an Affirmation, while they required the Christian and the Jew to guarantee their loyalty by a solemn Oath. The position of those hon. Gentlemen who supported the Prime Minister would be logical if they proposed to abolish the Oath altogether; otherwise he could see no consistency in the Bill. Was there anything in the Bill before the House to prevent Mr. Bradlaugh coming to the Table after it had passed and again scandalizing the Christian religion by taking the Oath? The Bill proposed to leave it optional with him whether he would take the Oath or an Affirmation. Was there any guarantee that Mr. Bradlaugh would not, when he came to the Table, demand the Oath instead of the Affirmation, and thereby again offend Christiam decency? Perhaps the Attorney General, who called upon the House to observe how respectably Mr. Bradlaugh had conducted himself since his election, would now assure them that Mr. Bradlaugh would not come forward under this Bill and outrage morality by taking the Oath instead of the Affirmation. But there was a broader question involved in this measure than the mere admission of Mr. Bradlaugh; and it appeared to him that the Members of the Government and their supporters who had joined in this discussion deliberately endeavoured to conceal the real issue. They accused the opponents of the Bill of trying to enforce on the hon. Member for Northampton a religious test. He denied that anyone on that side of the House desired to impose such a test. Those who maintained that they did were leading the House and the public astray from the real issue. What Members on that side objected to was that the moral foundation upon which the Oath and the Affirmation had been built should be swept away for the accommodation of the elect of Northampton. If the Bill passed they would have no guarantee that the Atheism for which the Government was now legislating would be satisfied with the concession that had been made to it. Had they any guarantee that the civil institutions of the country would be safe from the further encroachments of Atheism? If the institutions of that House were altered in order to admit Mr. Bradlaugh, had they any guarantee that he would not soon set to work to extend to the man who blasphemed or profaned in the streets the same consideration that had been shown to himself? The senior Member for Northampton (Mr. Labouchere), in the course of his speech, had warned the Irish Members that they were playing with edged tools in opposing this Bill, and some of the hon. Member's remarks seemed to have a particular reference to his (Mr. Harrington's) own case. The hon. Gentleman hinted at the possibility of the question being raised whether an Irish Member who had been in prison was qualified to take his seat. If the remark came from a person less friendly to the Irish Members he would have regarded it as a sneer at himself; but he would now only state that he was much prouder of the position he occupied as a prisoner for justice in Ireland than of his present position as a Member of that House, and if he were to appeal to his fellow-countrymen for their confidence he should rely most hopefully upon the fact of his having been imprisoned. References had been made to the admission of Catholics, Jews, and Quakers; but he denied that there was any analogy between their case and the present. The Oath was altered for Catholics, because the House knew that the amended Oath would be binding upon their consciences. In the same manner, Jews were admitted under an altered Oath, because the House knew that in its new form they would be morally bound to observe it. The same was the case with the Quakers. But did the House imagine that in the case of Mr. Bradlaugh; who acknowledged no superhuman power, an Affirmation or an Oath would rest upon any moral obligation or bring with it any moral responsibility? His Affirmation would be no more binding than his verbal promise in any of the ordinary affairs of life. Why should this exception be made in his case? It seemed to suggest that the loyalty of others was more questionable, because in their case it had to be affirmed with a solemnity which in Mr. Bradlaugh's case would be wanting. The Prime Minister said he did not fear Atheism; and that part of his speech simply amounted to an appeal to the House to abolish God and trust in Providence. The right. hon. Gentleman also dwelt with great force upon the fact that all the measures the House had as yet passed for the relief of conscience originated in the grievance of some particular man, and he instanced the cases of O'Connell and others; but he would ask him if he thought this measure recommended itself to the House or to the public opinion of the country, because it was associated with the name of Mr. Bradlaugh. To him and to his political Friends it was the strongest reason for voting against it.

Mr. Serjeant SIMON said, he could not but regret that the hon. Member for Greenwich (Baron Henry de Worms), who, like himself, was identified with those whom Parliament had relieved from disabilities, should have referred to the Prime Minister as carrying a banner on which should be inscribed—"Bradlaugh and Blasphemy." He believed that in his calmer judgment his hon. Friend would regret those expressions. The hon. Member seemed to have thought that because it had been alleged that the admission of Jews into Parliament would endanger the religion of the country, therefore it was incumbent on him, as one of that body, to do what he could to protect the religious feeling of the country. This ground he (Mr. Serjeant Simon) altogether repudiated. He had watched the whole struggle for Jewish Emancipation from its commencement. He remembered the first debate in Parliament upon it, and he recollected that the ground taken by those who advocated the removal of Jewish disabilities was, from first to last, that it was the right of every citizen to enjoy the privileges of the State while he bore its obligations, and that no man should be under disability because of religious belief. That was the broad issue upon which the battle was fought, and it was the same issue now. It was true tha objections were raised by the Party opposite, who said that it would imperil the Christian character of the country; but those objections were given up when it was found that public opinion could be no longer resisted. He had no reason, as the hon. Member for Bradford (Mr. Illingworth) seemed to think, to feel grateful to Parliament for having given him that which was his birthright; but he did feel grateful to the great Party on his (Mr. Serjeant Simon's) side of the House, and to the eminent men who took the lead in advocating the cause, and who laboured through long years and under circumstances of great discouragement, until they achieved success. He felt it his duty, therefore, to obtain for others the same rights which he and his community had acquired. Indeed, he thought that the principle of religious liberty had been accepted by the Party opposite, and he was surprised to hear a repetition of the arguments that had been used against Nonconformists, against Catholics, and against Jews; for they were the self-same arguments. He should be the last to offend any man's religious feelings; but when the hon. Member for Greenwich talked about the religious feeling of the country, it should be remembered that religious feeling was a very elastic term, and that it had covered much that the progress of human thought now condemned. So-called religious feeling had stirred the worst passions and instigated the most heinous crimes. Religious feeling established the Inquisition; religious feeling lighted the fires of Smithfield and sent thousands to the stake. Calvin burnt Servetus, no doubt, from religious feeling. Religious feeling enacted the Penal Laws, and proscribed Roman Catholics, Nonconformists, and Jews. It should be remembered, then, that when religious feeling was evoked, it was a dangerous element, and not always entitled to implicit trust. In these days of toleration every phase of religious opinion was represented in the House, all the Members meeting on the common ground of man's inalienable right to think for himself in matters of religion—a right which surely could not be denied to the Atheist. To profess to allow a man to think for himself, and then to annex disabilities to his opinions, was to destroy religious liberty altogether. To limit the right of a man to think and to form his own judgment was to deny freedom of conscience. He (Mr. Serjeant Simon) could not accept such a position. He acknowledged no power on earth that had the right to stand between a man and his conscience, and to coerce, or control it. Far from shrinking from the Atheist, as the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) said he did, he would try to win him over by gentleness and charity. Now, what was the position of Mr. Bradlaugh? He and his claim to enter Parliament might have been the occasion of the measure; but it was no more a Relief Bill for Mr. Bradlaugh, as it had been said, than the measure which permitted Baron Rothschild to take his seat was a Relief Bill for Baron Rothschild. It was simply intended to carry the principle of religious liberty to its logical conclusion, and he repudiated the notion of its being a Bradlaugh Relief Bill. Indeed, it would relieve the House rather than Mr. Bradlaugh; it would extricate the House from the difficulties in which it had placed itself by its erroneous interpretation of the law. As for Mr.

Bradlaugh, if there were a General Election to-morrow he would be able to take the Oath without question; for a new House would not, as the noble Lord the Member for Woodstock (Lord Randolph Churchill) had said, be charged with the knowledge of what he had done in a previous one. The House would have no power in the matter. The House was, and it would be the witness, and the witness only, to the act of taking the Oath. Reference had been made to the Evidence Act, under which Mr. Bradlaugh and others of his views were permitted to give evidence in Courts of Justice; and hon. Members who opposed the Bill had made very light of the matter, as if evidence in a Court of Justice was a mere trifle. But had they considered what were the issues arising in Courts of Justice? They concerned not only property, but reputation, the happiness and well-being of families, perhaps of generations, and even life itself. The evidence of an Atheist might determine any one of these issues. He (Mr. Serjeant Simon) could not conceive a position of greater importance and responsibility; and yet the same man was not to be trusted to make a promise of Allegiance. His right hon. and learned Friend the Member for the University of Dublin (Mr. Gibson) had referred to the words of the Affirmation proposed in the Bill, and he had taunted the Prime Minister with them. He said that the words "solemnly declare" could not be uttered by Mr. Bradlaugh, because the word "solemnly" implied or included a religious sentiment. "How, therefore," he asked, "could Mr. Bradlaugh profess 'solemnly' to affirm, when he disclaimed all religious belief?" But the same word occurred in the affirmation made by Atheists in Courts of Justice. The witness, as an Atheist, and because he was an Atheist, was empowered and required by law "solemnly" to "declare" and "affirm" that he "will true evidence give." Thus, then, Mr. Bradlaugh, or any Atheist, could in a Court of Justice "solemnly declare" away property, and every right of the subject, even human life itself; but he must not come to the Table of the House and "solemnly" make a promise. Surely such a position was untenable. In its practical effect, what was the importance of the promise in comparison with the enormous importance and consequences of the other? The noble Lord (Lord Randolph Churchill) had accused Lord Coleridge of introducing political opinions into his judgment. No defence was necessary for a judgment such as that to which the noble Lord referred. If Lord Coleridge had not been already a distinguished man, it would at once have made his reputation as the author of a most masterly and luminous exposition of the law, and have placed him among the foremost of the judicial hierarchy. It was a judgment that stood in striking contrast with that of another Judge delivered not long ago, which displayed all the narrow prejudices of a shallow mind. Besides, all who knew Lord Coleridge knew that there was not a more earnest Christian. He hoped that the Bill would pass. He hoped so in order that there might be an end to unseemly controversies such as they had had for the last three years. It was time that these discussions about men's religious opinions should cease. It was not the function of the House of Commons to pass judgment upon such matters; and he took leave to say that it was not qualified to do so. He hoped it would pass, because it was the necessary and logical climax of the great principles of civil and religious liberty, and because it was the Constitutional right of constituencies to choose for themselves those whom they desired to represent them.

Sir WILLIAM HART DYKE said, that his hon. and learned Friend (Mr. Serjeant Simon) had stated that he did not identify this measure in any respect with Mr. Bradlaugh. His hon. and learned Friend could neither have read nor heard the speech of the Prime Minister when he made that statement. The hon. Member for Northampton had tried to show that the Petitions presented to the House did not express the honest sentiments of the country. But he must say that during the 18 years he had the honour of a seat in the House he had never known—not even in 1868, at the time of the Disestablishment of the Irish Church—such a spontaneous exhibition of feeling on any subject. He had been inundated by letters, pressing him to give the strongest opposition to the Bill. On Thursday next there was an idea that a division would be taken on the measure. On that day three years it was that this miserable controversy commenced; and from that time to this they had been disturbed by incidents, many of them most unpleasant, and some most deplorable. It was not the Opposition that were responsible for those unfortunate events. On April 26, 1881, a Resolution was moved by his right hon. Friend (Sir Stafford Northcote), to the effect that Mr. Bradlaugh, on being re-elected, should not be allowed to take his seat. The Government was defeated, and that was the *fons et origo* of all those great difficulties and unfortunate incidents. The Prime Minister told the House that he would take no steps in consequence of that defeat, because there were judicial difficulties. But the right hon. Gentleman had in his day got over much greater difficulties, and if he had made the effort he might have got over these. The Government of the day were then placed in this anomalous position — they handed over the rule of the House into the hands of the Opposition. They said that, upon all other matters except this, they would attempt to govern. At last, after many divisions, after numerous proceedings in the Law Courts, after a series of agitations and threats, they were brought face to face with a mob at Westminster at the meeting of Parliament, and a demand made by Mr. Bradlaugh, backed by that mob, that he should be admitted to the House. That was a lamentable state of things. They were told by the Prime Minister that if they accepted this Bill it would be to the advantage of religion and Christianity. Why, 99 men and women out of 100 in this country, if they were not blinded by political or Party prejudice, considered that if the House gave way at this moment they would give a signal triumph to the cause of Atheism. Nor was it a triumph of the cause of Atheism alone; those who had read the history of other countries must know that the cause of Republicanism and Socialism was allied to the cause of Atheism. The Opposition were told that in resisting this Bill they were pursuing the ancient traditions of their Party. He ventured to assert that this Bill was not connected with the question of civil and religious liberty. It was not a question of toleration, or intolerance. What had the Prime Minister said on the 21st of May in the debate on the Resolution of the hon. Member for Portsmouth (Sir H. Drummond Wolff) to prevent Mr. Bradlaugh from taking the Oath? He said—

> "The case raised is one of the utmost novelty and nicety. I believe it is a case absolutely new. There have been cases when Members of this House have themselves raised the difficulty. Members of this House belonging to the Society of Friends have in other days declined to take the Oath prescribed by law, and demanded the substitution of an Affirmation; but there is no parallel between their predicament and that of the hon. Member for Northampton."—(3 *Hansard*, [252] 195.)

These words expressed the whole of the contention of the Opposition. It was a case of extreme novelty, and when they were taunted with having opposed the admission of members of the Society of Friends, Jews, and Roman Catholics, the words of the Prime Minister were against such an assumption. The members of those Bodies represented large sections of the community, who believed in a Divine Being. The Prime Minister had told them that they tore religion in shreds, and only desired to retain this one shred. Their claim, however, was to retain that part which, in their opinion, was the be-all and end-all of their religion. If the Prime Minister was right, why was it they retained that form of prayer in which the High Court of Parliament was specially mentioned? Why did they not do away with prayers altogether in connection with the proceedings of the House? He must again repudiate all idea that they raised this question in any spirit of intolerance, still less that it was a mere Party move. So far as he was personally concerned, the movement had come to him from his constituents, and not to his constituents from him. But, supposing it was a political move, he did not quite know whether such an accusation came altogether well from hon. Members opposite. When the Liberal Party were in Opposition, there was nothing—a Slave Circular or anything—that they did not make a matter of Party move. There had been a good many political moves on the other side during the last week or two; one extraordinary movement almost seemed to suggest to them that there was some political crisis coming. It was the obvious desire of Her Majesty's Government to sweep all the fads and crotchets into one bag, and there was very great uncertainty and much danger as to what the result might be when they were formulated in legislation. In his experience—and he had seen a great deal of the working of Governments—it was not the important questions which decided their fate, but small questions which grew like this one. It was obvious, from the speech of the Prime Minister, that this was a question which he did not like, and he gave the right hon. Gentleman credit for this—that when first the difficulty arose his first impulse was not to touch it. But they were now brought face to face with it; and, as far as his own efforts were concerned, he would give to this measure an uncompromising resistance to the bitter end, for he believed it to be fraught with nothing but mischief.

Mr. MARRIOTT: Sir, in the majority of the speeches made the speakers have objected rather to the circumstances in which the Bill has been introduced than to the principle of it. Of the many arguments now against the Bill, the first is that it is very unpopular in the country; and the second is that the circumstances under which it is brought in are humiliating. Well, Sir, these are somewhat contradictory arguments. The first charge brought against the Government, after these other charges, is that they are yielding to popular clamour—[Mr. Warton: The mob.]—and, at the same time, we are told that the Bill is against popular opinion; and the Government can interpret what is popular opinion far better than the rest of us; and, if popular opinion is against them, it cannot be said that they are yielding to popular opinion. But, Sir, it seems to me that hon. Members opposite are yielding to it. ["No, no!"] Hon. Members say "No, no!" that they are not yielding to popular opinion; and yet they say it is on their side, and they point, in proof of this, to the enormous number of Petitions against this Bill, and to the few that have been presented in its favour. The number of the Petitions against the Bill and in its favour have been given by hon. Members opposite, and they have gone further, and have collected the number of signatures both for and against the Bill. The noble Lord the Member for Woodstock (Lord Randolph Churchill), in his singularly able and masterly speech, has told us that the number of signatures against the Bill are four times more than those in favour. [An hon. Member: Fives times.] Well, it is hard to say how far these Petitions are or are not a guide to public opinion. A debate has been referred to that took place in 1854, on Lord John Russell's Bill for the relief of the Jews. At that time only three Petitions, with 166 signatures, were presented to this House in favour of the Bill; and the Petitions against the relief of the Jews were 481, with 60,171 signatures. Therefore, the Petitions, so far from being four times, were 400 times against that Relief Bill; and what happened after that manifestation of public opinion? Notwithstanding, and in spite of that enormous feeling against the Bill, four years after the debate referred to, the Jews were admitted to seats in this House under the Government of the late Lord Derby. Therefore, notwithstanding the number of Petitions presented against this Bill, we may prophesy that they will not have the effect of defeating the Bill now before the House. Hon. Members have taunted the Members of the Government with a want of sympathy with Mr. Bradlaugh; while the right hon. Member for South-West Lancashire (Sir R. Assheton Cross) has stated that, before and since his election for Northampton, the Government have done their best that Mr. Bradlaugh should retain his seat in this House. ["Hear, hear!"] "Hear, hear!" says an hon. Member; but I think that the attitude of this House and the Government has been one of antipathy rather than of sympathy with Mr. Bradlaugh, whose appearances here have had much the same effect as of a ghost appearing among women and children, and they have tried to avoid him altogether. I think it would have been far better if the Government had, two years ago, dealt with the question. If they had grasped the nettle and met all the difficulties of the position and brought in their Bill—if they had been true to their principles then and brought in their Bill, it would now have been passed and become law. But whether the Government were right or wrong then has nothing to do with the principle of the Bill, whether it is right or not. We have not heard much against the principle of the Bill, which is simply the extension of the principle of toleration. ["No, no!"] Hon. Members may say "No!" but, surely, when the Bill was brought in which enabled the Quakers, Separatists, and other religious people to take the Oath, it was on the great ground of toleration, and the great principle that opinion shall be no bar to civil rights. [An hon. MEMBER: Religious opinions.] All opinions. I say true toleration allows a man to hold what opinions he may, and says that they shall be no bar to his civil rights. Well, hon. Gentlemen opposite say that they will have toleration for a man's religious opinion, and not accord it to his scientific opinion. Well, if that is so, I think it is a new interpretation of toleration of opinion that will not find support in this country. I admit that hon. Members have not spoken much with regard to the principle of this Bill. They have rather dilated on what might happen if this Bill passes. If hon. Members go back, and read the debates which took place in 1854, they will find that those who opposed the admission of Jews indulged in similar prophecies, every one of which has proved untrue. In those debates, an hon. Member spoke who held very much the same position as the hon. and learned Member for Launceston (Sir Hardinge Giffard) now holds. That was Sir Frederick Thesiger, afterwards Lord Chelmsford, who prophesied that if the Bill was passed it would be an attack on the Established Church, and it would weaken the Protestant religion and destroy the Christian character of the House. I would wish to ask if the Church of England is weaker now than it was in 1854? ["Yes!"] Well, then, all I can say is that if the noble Lord (Lord Randolph Churchill) thinks so, he disagrees with every Bishop in the country, as well as with the new Archbishop. They say the Church is stronger than it was 29 or 30 years ago. Is Protestantism weaker, or is the Christian character of the House destroyed? If Protestantism and the Christian character of this House depend on the utterance of certain words, and the performance of a certain ceremony in this House, then they are really destroyed. If the Christian character of the House depended, as all thinking men would say, on what it does, then he hoped that this Christian character was rather promoted than retarded. Hon. Members came forward and said they wished to maintain not the Christian, but the religious character of the House. He did not know if they thought that a particular form of words would have the effect of maintaining the Christian character of the House. In 1866 there was a debate on the Parliamentary Oaths Bill in this House; and a right hon. Gentleman, whose words had been received with attention, made these remarks, he said—

> "For my part, I have ever been of opinion that the Established Church in this country does not depend upon oaths. I think the Church of England in all its branches is too strong, too deeply rooted in the affections of the people and traditions of the country, to depend for its maintenance upon any form of words of that character."—(3 *Hansard*, [181] 1713.)

Do hon. Members opposite agree with that sentiment? Those were the words used by Mr. Disraeli. A word was dropped by the right hon. and learned Member for the University of Dublin (Mr. Gibson), and also by the hon. Member for Oxford University (Mr. J. G. Talbot) with regard to the word "solemn," and the argument was that the word appealed to a higher power. I perfectly admit that in the old days the Latin words had that meaning; but the words now used depend not on the ceremony, but on the thing engaged. The noble Lord the Member for Woodstock (Lord Randolph Churchill) has quoted the ancient Fathers, and, if I may so, with full deference to him, he mixed up the periods in which they lived; he makes a statement, which shows that the drift and all his thoughts was in connection with matters of opinion. He referred to the Arian heresy, and told us that the want of success of Arianism depended upon the will of a despot who lived at the time. That seems to me the whole value he placed on opinion. He does not think that things will prevail or not succeed because they are right or wrong, but that they depend upon the arm of the civil power. I say the whole history of the world shows that persecution, so far from retarding them, increased their spread. [Lord RANDOLPH CHURCHILL: What about Arianism?] I believe it exists at the present day. If the noble Lord wishes to go into the theological question, he will find that Arianism still influences Trinitarians, Socinians, and Quakers. Every religious theory has either succeeded or failed according to the amount of truth contained in it. We know that the result of the Edict of Nantes was to expel the Protestants from France, but the other result was to sow the seeds of revolution; and, at the present time, you may trace the great animosity towards the priests in that country to the persecution which had its origin in the application of the Edict of Nantes. I feel convinced that had it not been for the action of this House the opinions of Mr. Bradlaugh, to which I myself have the greatest possible dislike, would not have so far triumphed. Thousands of persons in the country have been stirred up to see what those opinions are. If an opinion gets abroad that a man is losing his civil rights, sympathy arises with him in spite of the worse opinions he may hold; and now Mr. Bradlaugh is a more popular man than he was three years ago when he entered this House. I do not wish this Bill to be passed for Mr. Bradlaugh. He is the first instance—and it is for Mr. Bradlaugh in many respects—to whom the Bill would apply. But the question is, is the Bill right or wrong? [Several Conservative Members: Wrong!] I do not think it is wrong, but right, and that is why I shall give it my hearty support.

Mr. E. STANHOPE said, that those who had listened to the debate, and especially to the able speech of his noble Friend near him (Lord Randolph Churchill), must have felt that hon. Members who had addressed the House from the opposite side had hardly appreciated the importance of the subject involved in the Bill. Some hon. Members had addressed themselves to the task of attacking the Conservative Party now in consequence of the attitude they assumed on this measure; and some, like his hon. Friend who had just sat down, were in a difficulty because, at one time or other, they had voted in favour of the admission of Mr. Bradlaugh into Parliament. But if those who attributed to the Conservatives that they were actuated by Party motives in their opposition to the Bill would take the trouble to analyze the speeches delivered in favour of the Bill that night, they would hardly find that a single new argument had been addressed in support of the measure. And yet it was a Bill of very great importance. Nobody who had listened to the speech of the Prime Minister the other night could doubt that they were discussing a question of the utmost possible gravity, which, however grave it might be at this particular moment, was very likely to be of still greater importance before any very long period elapsed. For himself, he confessed that it was the gravest question he had had to approach in the whole course of his political life; and he did not desire to approach it in the spirit in which it had been approached by many hon. Members who had taken part in the debate. He had no wish to depreciate the motives of his opponents. He had no doubt that hon. Gentlemen who sat opposite to him, and who supported the Bill, were actuated by as honourable motives as he might claim for himself; but, at the same time, he said that they took a considerable amount of responsibility upon themselves when they ventured to assert that it was the Conservatives who were actuated by Party motives, when, in point of fact, they were opposing a measure which they conscientiously believed to be wrong. It was a satisfaction to them at last to grapple with the specific proposal by which the Government desired to settle the question, and as to which, apparently, they were unanimous. It was quite true that in order to arrive at an unanimous settlement the Government had considerably changed the view they first took; and, what was more remarkable, the change they proposed was one which cut away from under their feet the only logical ground upon which they had rested the Bill. The only ground on which the Bill was originally founded was the inherent right of a constituency to return to Parliament any Representative it might select. If, in other respects, the change was remarkable, it was most remarkable on account of the defence of the change in the Bill which had been made by the Prime Minister. None of them could forget the language used by the right hon. Gentleman the other night. The right hon. Gentleman told them first that the Bill was no longer to be retrospective in its character, because the constituency had had notice of the intention of Parliament to exclude Mr. Bradlaugh; but at last the right hon. Gentleman had to abandon that defence, and to fall back upon the allegation that the change in the Bill was founded upon the precedent of Roman Catholic Emancipation. This change was remarkable also because, as far as he was able to form an opinion, it was the very first time that Her Majesty's Government had taken one single step in the course of the three years' proceedings in opposition to Mr. Bradlaugh. That might be a proposition which the other side of the House would hardly accept; but he ventured to say that whenever the question before the House was how Mr. Bradlaugh was to be admitted the Government supported him, and whenever it was a question of how Mr. Bradlaugh was to be kept out of the House, the Government went against the Conservative Party, and took no steps to exclude him. The Government now placed before the House a Bill which they alleged to be the true remedy for the situation in which the House was placed. Let him point out in one sentence what the situation was. An avowed Atheist came to the Table and claimed to take his seat. All legal means having failed, and Mr. Bradlaugh had attempted every one of them, he next endeavoured to succeed by means of threats of violence; and the Government, who had refused to persevere in any measure for his relief until he used those threats of violence, immediately they were brought forward came down to the House and introduced the Bill now before it. And they justified the Bill by alleging that it was based upon principles that were the very foundation of the existence of the Liberal Party; and they urged the House to pass it at once, because it was based upon principles which they said were immutable, and which ought to be applied to the present case. They had been told often, in the course of the debate, that they were making a great mistake when they alleged that the Bill was brought forward solely in the interests of Mr. Bradlaugh. He should like the House to apply this one single test. Putting Mr. Bradlaugh aside for the moment, would they have ever heard of this Bill? Would the Bill have been persevered with now? Would it have been brought forward now? Would any hon. Member in that House say that it would have been brought forward to the exclusion of all other Business if it were not for Mr. Bradlaugh? Then it was said very often that their objection to the Bill was on account of their objection to the man. Well, he did not altogether deny that. He shared the opinions that were felt on the opposite side of the House, and he was sure he was expressing the opinion of many men sitting on that side of the House when he said that this man had offended their feelings of religion almost as much as he had shocked their feelings of decency. He could not understand the remarkable parallel which had been drawn by the hon. Member for Oldham (Mr. Lyulph Stanley), when he attempted to draw a parallel between the early Christians and modern Atheists, inasmuch as their attempts to obtain recognition were equally characterized by bad taste. They were told that there were Atheists in the House already. Of course, they were sorry to hear that; but they had been so often told so that he supposed there could be little doubt of the fact. But was it any reason, because a man had slipped in without anything being known of him, and without publicly avowing his opinion on the subject—was that a reason why they were on that account to admit a man who came to that Table and openly avowed that his objection to take the Oath was because he did not believe in the existence of a Supreme Being? He believed, unfortunately, that they had Republicans in that House; he believed they were not absent even from the Treasury Bench. But those hon. and right hon. Gentlemen had judiciously veiled their opinions; and could anybody say that because they had been able to enter the House by concealing their opinions, that a man was to be entitled to come to the Table and say—"I refuse to take the Oath of Allegiance;" and thereupon the Government were to introduce a Bill to enable him and all future Members of the same way of thinking to dispense with the obligation of taking the Oath? But now they were face to face with this Bill; and, looking at it fairly and impartially, he believed he might say with truth that the hatred of the Bill was not confined to that side of the House. The majority of the House on the one side and on the other hated the Bill. The Prime Minister had told them quite frankly that he detested it. The religious feeling of the country was, undoubtedly, opposed to it. They had heard that night how the Wesleyans regarded it. They had it upon incontestible authority that the Wesleyan Body was, by an enormous majority, utterly opposed to the passing of the Bill. If his hon. Friend who spoke early in the evening had chosen to prolong his observations so that he could have produced a Petition signed by a vast number of past Presidents and very prominent members of the Wesleyan Connection, he would have found upon it the name of a man who almost commanded as much respect from those who differed from him in religion as those who agreed with him—the Rev. Dr. Rigg. Not only was this a respected name, but the names of most of the leaders of the Wesleyan Connection were attached to the Petition against the Bill, despite what had been said by one or two hon. Members as to the opinion of the Wesleyan Body. So also was it in regard to the Church of England. By an enormous majority the opinion of the Church was entirely opposed to the principles of the Bill. He believed also that the opinion of an enormous majority of the people of the country was opposed to it. It was perfectly true, as the Prime Minister told them the other day, that, after all, Atheism was not the main evil they had to contend with. There were some subtle forms of unbelief and Agnosticism that were eating like a cankerworm into the religious life of the country. That was a dangerous thing for them to contemplate and deal with; but the right hon. Gentleman went on to tell them that the public opinion now opposed to the Bill was only a momentary public opinion, and that it was a thoroughly unsafe guide to rely upon in determining the course they should adopt on a question such as that before them. But was Her Majesty's Government a safe guide in this matter? He should like to ask that question. They were generally wrong in their law, and they had always, he thought, misinterpreted the feelings of the House and of the country. On the Opposition side of the House, however wrong they might have been, they might, at least, claim credit for having been consistent from the first step to the last in opposing the admission of Atheists into Parliament. But if public opinion was so clear—if it was so absolutely clear that the Prime Minister admitted it—ought not that public opinion to be followed? It was not a new phase of public opinion, because the country had had three years to reflect on the subject; and, as far as he could form any judgment upon it, the opinion against the Bill had strengthened from year to year. It was not as if the subject before them was a difficult one. The facts were perfectly plain. The question at issue before the House was a very simple one that everybody could understand; and he ventured to say that, having had this question before it for the last two and a-half years, the country had absolutely and finally decided upon it. It hated the Bill, and it hated the Bill first and foremost, he frankly confessed, because of its association with Mr. Bradlaugh; and, in the second place, because it desired to maintain the religious character of the House, and because it wished to associate the religious element with all its proceedings from the beginning to the end. It was unnecessary for him to enter into the history of former precedents which had been brought forward in respect to the matter. He did not think that any one of them really touched the point they were now dealing with. His noble Friend the Member for Woodstock (Lord Randolph Churchill) had pointed out, in the most conclusive manner, the way in which the present proposal differed from the proposal to which Parliament consented for the admission to that House of Jews and Quakers. He would prefer to direct the attention of the House to the consideration of the main argument which, as far as he had been able to gather in the course of the debate, had been urged in favour of the Bill. It was alleged that they, on that side of the House, desired to establish a test which was of no real utility, but which involved a denial of justice to Mr. Bradlaugh. Now, let them consider the question of justice. They were told that justice to Mr. Bradlaugh was of so urgent a character, that it was a matter which required to be dealt with so urgently, that they ought to put aside all other Business, of whatever importance, in order to press forward the Bill. He should like to ask, if that were so, and if it was so urgent that they should do justice to Mr. Bradlaugh, why was not this Bill brought forward long ago? Why was it not brought forward in 1881 or 1882? Why was it reserved for a time when it was open to the opponents of the Bill to say that it was no longer due to a sense of justice, but that it was extorted from their fears? Justice! To whom was it justice? Justice to Mr. Bradlaugh? Well, he did not think anybody on that side of the House would for a moment say that Mr. Bradlaugh did not deserve the fullest measure of justice; but so did the religious feeling of the people of this country. And if they assumed for a moment that justice was involved in this matter at all, then he said that the great mass of the religious feeling of the country, which was of opinion that great injustice was being done by this Bill being brought forward, was at least as much entitled to notice as the demands of Mr. Bradlaugh himself. But it was not a question of the denial of justice. It was not a question of justice at all. What right had Mr. Bradlaugh to come forward to that Table and refuse to comply with a condition which they had imposed upon admission to the House? What right had he to call upon them entirely to abrogate the traditions to which they attached, perhaps an undue, but, at any rate, a conscientious importance? That was not justice; it was not common sense; and they were at least entitled to respect the feelings of the country as much as the violence of Mr. Bradlaugh and his party. In the second place, they were told that the condition which they desired to impose upon the admission of Members to that House formed a very narrow ledge upon which to rest the religious feelings of the country, and that it afforded a very poor safeguard. He might answer that in the words of his right hon. and learned Friend the Member for the University of Dublin (Mr. Gibson), who had pointed out that even if this were an insufficient safeguard it was better than no safeguard at all. He (Mr. E. Stanhope) desired, also, to support that safeguard on a stronger ground. He supported it because it appeared to him to afford a common ground on which men of all religion, taking religion in its broadest and widest sense, were able to combine for the purpose of declaring war against all forms of irreligion. It was quite true that Atheism was not the main evil. They had to deal with more subtle forms of evil; but what they contended for in the strongest manner was that they should close the doors of Parliament against men who professed open and avowed Atheism. If it were true that this afforded a common ground on which they could all meet and all oppose the common enemy, then it was a ground which they ought not hastily to abandon. They must not allow the enemy to attack them in detail. Let them endeavour, all of them who professed a religious opinion, whether they belonged to one sect or another, and upon whatever ground they founded their objection, to combine on a common platform in endeavouring to repel the common enemy. Upon this point he could not do better than venture to quote the opinion of one who, it would be admitted, was a great authority on the subject. Edmund Burke, in his *Reflections on the French Revolution*, speaking of those who tolerated in the true spirit of toleration, went on to say—

> "They would reverently and affectionately protect all religions, because they love and venerate the great principles upon which they all agree, and the great object to which they are all directed. They begin more and more to discern that we have all a common cause, as against a common enemy."

Then they were told that it was absolutely necessary to settle this question. That was an argument that came home to everyone with very great force. He quite agreed that it was most desirable to settle, if they could, this most irritating question, which had now reached a point which, he ventured to think, it never would have reached, if it had only been grappled with and dealt with properly at the outset. But, admitting all that, it was quite impossible to deny that there were modes of settlement which were even more dangerous and objectionable than leaving the question unsettled. The point before them was not only how the religious people of this country would regard this settlement, but also, even more, how would the irreligious people of the country regard it? They would regard it as a victory and a complete triumph; they would hold that they had stormed the stronghold of the enemy. They would say that they had achieved a triumph of violence and had introduced Atheism in high places. He would venture to read an extract from a letter which he had read that day, and which recently appeared in *The Newcastle Chronicle*, from "An Avowed Atheist." Any hon. Member who had not read that letter ought to read it, in order to ascertain how an avowed Atheist understood the Bill, and he believed that a great deal of information was to be gained from it. He would read one single passage from this letter of an avowed Atheist. [*Cries of* "Name!"] "Name?" The writer did not give his name. If he would give his name he should know how to deal with him. [An hon. Member: Does he sign his name as "An avowed Atheist?"] The letter was signed "An avowed Atheist," and this was what the writer said—

> "The Atheist objects to an oath chiefly because it identifies civil obligations with religious duties—because it is a leading sign among all civilized communities of an omnipresent and omnipotent Sovereign; of an Almighty God—the fear and knowledge of whom they say is the master-spring of every principle which can permanently secure the stability of a people. With the aid of Christian Liberals, whose cause he has served so well, we Secularists believe that Mr. Bradlaugh is about to add to his other achievements by destroying the degrading symbol referred to. And the Parliamentary Oath once abolished, why should the Coronation Oath remain?"

That was the spirit in which they saw an avowed Atheist approaching this matter, and the manner in which he regarded the result of the struggle now before them. Far be it from him to attempt, for a single moment, to minimize the very great mischief that was being produced in the country by the struggle now going on in that House. He was afraid it was producing consequences of a very grave character. But the real cause of the mischief, and the real cause of the existence of the evil now going on in the country, was not the struggle that was being carried on within the walls of that House, but it was the support which was being given to Mr. Bradlaugh, step by step and year by year, by men who were prominent in the political history of the country. Who had given Mr. Bradlaugh his prominence? [*Cries of* "You and the Opposition!"] He was very glad to hear that expression of opinion from hon. Gentlemen opposite, as it enabled him to tell the House what the very first step was which gave Mr. Bradlaugh his prominence. There could be no doubt of it—it was a matter beyond dispute, and he would like to read to the House what it was. In the year 1871, a right hon. Gentleman went down to Blackheath to make a speech to his constituents, and he took an opportunity of quoting in the course of that speech—which was directed in a Party sense against hon. Gentlemen on that side of the House—he took an opportunity of quoting, and quoting with approbation as full of good sense, some verses which he then read to the meeting, and which there could be no doubt whatever were written by Mr. Bradlaugh himself. The verses were taken from the *Secular Hymns* of Mr. Bradlaugh, and published by him in defence of Atheism. They were verses known to everybody who knew the writings of Mr. Bradlaugh to be written by him, and they were written for the purpose of spreading in the country the principles of Atheism against religion. [*Cries of* "Read!"] That was the first time that many of them ever looked at the writings of Mr. Bradlaugh. It was the first time he himself ever looked at those writings or ever thought of them, except as the writings of an obscure and mischievous agitator. The man who brought them to their notice was the Prime Minister. [*Cries of* "Read!"] He was not going to pollute the House by reading any of the verses from the *Secular Hymns.* The particular verse quoted by the Prime Minister was, no doubt, of an innocuous character; but it was one taken from a miscellaneous body of hymns which no man in the House could read without forming an estimate of their true character. The settlement now proposed was one which, at any rate, they could not accept on that side of the House. The settlement meant nothing more nor less than a surrender along the whole line. It meant that they abandoned their outworks and allowed the enemy to come in. It was neither a just nor a reasonable proposal, and they on that side of the House, however much their motives might be misinterpreted, and however much they might be attacked for endeavouring to keep a man out who had been elected by the constituency of Northampton, were not prepared to sacrifice their convictions to any consideration of external violence; and they were not prepared to trample with reckless indifference on the religious feelings or even the prejudices of the people of this country.

Mr. WALTER moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Walter.*)

Sir R. ASSHETON CROSS said, he would put it to the House whether it was the proper course to adjourn the debate after the intimation they had received from the Government that they proposed to take a private Members' night to-morrow? He should have thought, naturally, if they were to follow the ordinary custom in regard to prolonged debates, they would at least have an hour in which the debate could go on. It was far too early to adjourn the debate, especially if the Government were so pressed for time that they felt it imperatively necessary to take to-morrow night from private Members.

THE MARQUESS OF HARTINGTON said, he would be quite disposed to agree with what had fallen from the right hon. Gentleman if there was the slightest possibility of the debate being concluded that night; but that was not possible. If it were, it would not be unreasonable to ask the House to go on in order to accomplish so desirable a result. But as there was no possibility of the debate terminating that night, he thought it was desirable that they should adjourn it now at a time which would render it possible to proceed with some of the Business which remained upon the Paper, and which it was universally admitted ought to be proceeded with as rapidly as possible. He failed to see any connection between the question of adjournment at that particular hour and the proposal of his right hon. Friend the Prime Minister to take the debate to-morrow.

MR. A. J. BALFOUR said, the Government were taking a new and a novel course. They were asked to adjourn the debate soon after midnight, when it was frequently the practice in debates of this nature to carry them on until 2 o'clock in the morning. Hon. Members on that side of the House were constantly being accused of Obstruction; but he would venture to point out that the House could scarcely feel much fatigue after an eight hours' Sitting. The Government had announced their intention of taking the whole of to-morrow night for this debate, but they had an alternative course; they might have taken a Morning Sitting to-morrow, and have left the evening for private Members. Their only advantage in taking the whole of to-morrow was that, by so doing, they would gain another hour or two. Still, why not take those two hours now, and leave the privileges of private Members undisturbed? It appeared to him that those who had Motions on the Paper for to-morrow had good reason to complain of the pressure put upon them, especially when it was proposed to adjourn the debate at that early hour. He hoped the House would not assent to the Motion.

MR. GLADSTONE said, he thought the hon. Member for Hertford (Mr. A. J. Balfour) could not have had much experience in the House, or he would have known that that was about the usual hour for adjourning debate. Whether earlier or a few minutes later was no very great matter, but it was the time usually taken for adjournment. There would be nothing at all unusual in adjourning now; whereas, after another speech, they would, perhaps, only have another wrangle for adjournment, and would waste a little more of the time which it was possible to utilize for the progress of other Business.

SIR STAFFORD NORTHCOTE said, he did not fear another wrangle about adjournment, such as was hinted at by the Prime Minister, if the debate were to continue for another hour; but an opportunity would be given to a large number of Members who were not usually in the habit of addressing the House, but who desired to address it on behalf of their constituents on this question, and who had certainly a right to be heard upon such a question. He thought a great advantage would be gained by giving to such hon. Members an opportunity of continuing the debate for a short time longer. If his hon. Friend the Member for Berkshire (Mr. Walter) would withdraw the Motion for adjournment, and move it after one or two more speeches had been delivered, the debate would be greatly facilitated.

MR. CHAPLIN said, he hoped the hon. Member for Berkshire would not be indisposed to accept the suggestion of the right hon. Gentleman. It was an unusual thing, on an important question like that now under discussion, for the adjournment to be moved at so early an hour, and it certainly was unusual to hear the Prime Minister arguing in favour of adjournment at such an hour. They constantly found the Prime Minister resisting Motions for adjournment at hours much later than the present. He (Mr. Chaplin) had already intimated his intention, in which he should certainly persevere, of resisting the appropriation of a private Members' night to-morrow, and that intention was much strengthened by the course now being taken. He regarded it as a mere device for obtaining an hour or two to-night for other Business at the expense of private Members to-morrow. He did not know how far the Government desired to avoid the question which stood first on the Paper to-morrow—namely the question of the repeal of the Vaccination Act. Personally, he thought it was desirable, in the interests of the country, to have a plain and unmistakable declaration from the Government as to the course they intended to pursue upon that question, and he certainly could not consent to the adjournment of the present debate at that hour.

Mr. RYLANDS said, he thought it was very unreasonable on the part of hon. Gentlemen opposite to resist the Motion for adjournment. The House would be aware that many hon. Members had been attending the sitting of Committees since 12 o'clock in the day, and he thought the Government were justified in the course they had taken. He therefore hoped the Government would consent to the adjournment of the debate, in order that they might proceed with the Customs and Inland Revenue Bill.

Mr. R. N. FOWLER said, he merely rose to make a suggestion. He agreed with the hon. Gentleman behind him (Mr. Chaplin) that it was a very unusual thing to hear the Prime Minister favouring the adjournment of the debate at that hour. The right hon. Gentleman said it was not unusual, so far as he had a knowledge of the early history of the House. He (Mr. R. N. Fowler) dare say it was not unusual in the happier days in which the right hon. Gentleman had known the House; but as long as he (Mr. R. N. Fowler) had sat in the House it had been a very unusual thing to adjourn a debate at so early an hour. They were told that the object was to enable an important debate concerning the Customs and Inland Revenue Bill to be brought on. Then why not take a Morning Sitting for that purpose, and allow his hon. Friends on that side of the House to continue the debate for another hour or two, when the hon. Member for Berkshire (Mr. Walter) could move the adjournment?

Mr. MACFARLANE said, that many hon. Members had risen to take part in the debate, and that a reasonable hour had already passed when they ought to be called upon to consider another important measure. In the event of the Motion for adjournment being carried to a division, it would be, at least, half-past 12 o'clock before the division would be over, and the Customs and Inland Revenue Bill could be reached. Did the Government propose to proceed with that Bill, because there were some very important questions to be discussed with regard to it? He would ask the right hon. Gentleman the Chancellor of the Exchequer to state distinctly whether the Government proposed to go on with the Customs and Inland Revenue Bill at so late an hour, because the answer might materially influence the course which hon. Members would take upon the present proposal.

The CHANCELLOR of the EXCHEQUER (Mr. Childers) said, that if a division was taken and the debate was adjourned, he should go on with the Customs and Inland Revenue Bill for a certain distance; and he did not think that half-past 12 was an unreasonable hour for discussing the questions raised in that Bill.

Mr. MACARTNEY said, the hon. Member for Burnley (Mr. Rylands) had accused Members on that side of the House of having been guilty of unseemly conduct. He (Mr. Macartney) would ask if it was reasonable or unreasonable on the part of hon. Members to wish to continue the debate until the usual hour for adjournment on a subject that was so much disturbing the country and the public mind, and upon which they were all anxious to come to a proper and definite conclusion? There were a number of hon. Members who were not often in the habit of speaking at great length, and who were anxious to express their opinions upon the matter; and he thought the Government had consented to the Motion for adjournment less for the purpose of prosecuting Government Business than for postponing till to-morrow evening the consideration of a very serious and important question which the Government most likely wished to shunt, in order that they might have another week to make up their minds.

Question put.

[A Division being called for, Strangers withdrew.]

Question again put.

THE DEPUTY SPEAKER (Sir ARTHUR OTWAY): The Ayes have it. [*Cries of* "No, no!" *and* "Agreed!"]

The DEPUTY SPEAKER thereupon left the Chair.

Debate *further adjourned* till *To-morrow.*

## CUSTOMS AND INLAND REVENUE BILL.—[BILL 140.]

(*Sir Arthur Otway, Mr. Chancellor of the Exchequer, Mr. Courtney.*)

COMMITTEE. [*Progress 27th April.*]

Bill *considered* in Committee.

(In the Committee.)

MR. MACARTNEY and MR. ARTHUR O'CONNOR rose to Order.

THE DEPUTY CHAIRMAN (Sir FARRER HERSCHELL) said, there was no Question before the Committee. He would put the Question that Clause 7 stand part of the Bill.

Motion made, and Question proposed, "That Clause 7 stand part of the Bill."

MR. MONK said, he had thought that Clause 7 was passed last week.

MR. ARTHUR O'CONNOR rose to move that the Deputy Chairman should leave the Chair. He did so in order that the Deputy Speaker (Sir Arthur Otway) might re-occupy the Chair, and that a point of Order might be submitted to him. Some minutes ago, before the Deputy Speaker left the Chair, his decision was challenged by hon. Members sitting on the Benches below the Opposition Gangway, and they had a right to have a division taken.

Motion made, and Question proposed, "That the Deputy Chairman do now leave the Chair."—(*Mr. Arthur O'Connor.*)

MR. BIGGAR said, he wished to raise another point of Order. The Deputy Speaker left the Chair without putting the Question whether he should leave the Chair or not.

THE DEPUTY CHAIRMAN (Sir FARRER HERSCHELL) said, the question was one of the progress of a Bill which had already been in Committee, and according to the practice of the House the Speaker left the Chair without putting the Question whether he should leave the Chair.

MR. MACARTNEY asked in what way he could contest the question? When the Deputy Speaker first put the Question "Aye" or "No," there were loud and repeated cries of "No!" The Bell was rung and Tellers were appointed, and the Question was put a second time. There were a good many cries of "No!"—loud and repeated cries of "No!"—from every side of the House; but the Deputy Speaker refused to take a division, and chose to assume to himself the authority of upsetting the Rules of the House.

THE DEPUTY CHAIRMAN (Sir FARRER HERSCHELL): The hon. Member will see that it is impossible for me to give any answer to the question he has put, or to advise him in regard to it.

MR. MACARTNEY said, a Motion had been made that the Chairman leave the Chair for the purpose of allowing the Deputy Speaker to come back again when the Question might be put to him.

MR. GLADSTONE said, that it was quite evident if the Chairman did leave the Chair, it would not enable the hon. Gentleman to raise the question as to an Order of the day from which they had already passed. [*Cries of* "No!"] They had passed from the Order relating to the Affirmation Bill and they were now on the second Order. If the hon. and learned Gentleman in the Chair left the Chair, that would not enable the Deputy Speaker, without a clear infraction of the elementary Rules of Business, to go back to the discussion of an Order of the Day which was anterior to the Order they had now reached. He apprehended that the proper time to complain of anything that might have taken place with respect to the first Order of the Day, would be after the rest of the Orders of the Day had been gone through, or else before the recommencement of Business at the next Sitting.

MR. O'DONNELL said, he thought they could not proceed with the present Business without the infraction of one of the most elementary Rules of the House, and it was for that reason that he supported the Motion, "That the Chairman do leave the Chair," the object of which was that a question might be submitted to Mr. Deputy Speaker, on the ground that he had passed over his clear duty in putting the Question from the Chair. When Mr. Deputy Speaker was reminded of the fact he felt sure that the present difficulty would be cleared up, and that the House would not then committ the grave illegality recommended by the Prime Minister of proceeding with one Order of the Day before a previous Order of the Day had been disposed of. The circumstances were these. A division had been called for, and Tellers had been appointed. The decision of Mr. Deputy Speaker that the Ayes had it was again and again challenged, notwithstanding which he left the Chair without the division being taken. He felt sure that on his attention being drawn to the circumstances, Mr. Deputy Speaker, with the advice, if necessary, of the Clerk at the Table, would decide that they were now proceeding in error.

SIR JOSEPH M'KENNA said, he felt sure there had been a misapprehension on the part of Mr. Deputy Speaker, and he thought the error they had fallen into in consequence ought to be corrected before they proceeded further with the Business of the day. He could personally bear testimony to the fact that the decision of Mr. Deputy Speaker was challenged by several Members on those Benches. So far from being in favour of the Motion for adjournment, he was at the time thinking of addressing the House on the question before it. He repeated his belief that Mr. Deputy Speaker had acted under a misapprehension; but there could be no doubt as to the facts that had occurred, which were as follows:—When the division was called, the Clerk at the Table came forward and asked who were the Tellers; having received an answer he retired to the Table, whereupon Mr. Deputy Speaker put the Question from the Chair, and his decision that the Ayes had it was met with loud shouts of "No!" In face, however, of that challenge, he proceeded as if his decision was not challenged at all, and left the Chair. He felt sure that on the facts being laid before Mr. Deputy Speaker, he would at once correct the irregularity which had occurred; and for that reason he should support the Motion of the hon. Member for Queen's County (Mr. Arthur O'Connor).

SIR STAFFORD NORTHCOTE said, although it was most undesirable that time should be wasted, he ventured to think it would be but reasonable that some step should be taken with regard to what had occurred, which, as he understood it, was this. That, as frequently happened, the "Ayes" having been given and the "Noes" called for, there were loud cries of "Agreed!" owing to which the cry of the "Noes" did not reach the Chair. This last, however, was a point on which Mr. Deputy Speaker alone could decide, and he felt sure that everyone would be satisfied with the decision of the hon. Gentleman, who had always shown the greatest possible impartiality in the discharge of his Office. He thought there could be no objection to the proposal of the hon. Member for Queen's County being assented to in order that a question of Order might be put to Mr. Deputy Speaker, whose reply he felt confident would bring this incident to a satisfactory termination.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS) said, before the question was put in order to carry out the object stated by the right hon. Baronet, he would venture to suggest that the more proper Motion would be to report Progress, inasmuch as the Motion "That the Chairman do leave the Chair" would raise a difficult question with regard to further progress being made that evening with the Customs and Inland Revenue Bill.

SIR STAFFORD NORTHCOTE said, he differed from the right hon. Gentleman the Chancellor of the Exchequer. He had known an instance of a question of Order having arisen in Committee which could not be settled without the assistance of the Speaker; and the Chairman having in consequence been ordered to leave the Chair, so that the question might be settled, it had not put an end to the Business in Committee.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS) said, this was not a question of Order. He felt sure the only correct Motion would be that Progress be reported.

MR. MACARTNEY said, he contended that by adopting the course suggested by the right hon. Gentleman who had just spoken, they would be admitting that the Deputy Chairman of the Committee had properly taken the Chair.

MR. ARTHUR O'CONNOR said, he thought the proposal of the right hon. Gentleman should not be adopted. If a Motion were made to report Progress, unless he was misinformed, it would be impossible to proceed further with the Customs and Inland Revenue Bill. It was for that reason he moved that the Deputy Chairman leave the Chair, with the distinct object of submitting to the Deputy Speaker the point of Order which had been raised. He believed if that course were followed, it would be competent to them to proceed with the Customs and Inland Revenue Bill.

Question put.

The Committee *divided*:—Ayes 77; Noes 194: Majority 117.—(Div. List, No. 75.)

Original Question again proposed.

Sir WALTER B. BARTTELOT rose to Order. He wished to ask the Deputy Chairman whether he had been properly placed in the Chair? He felt sure no one was more anxious than the Prime Minister to maintain the regularity of their proceedings, and he had distinctly understood that right hon. Gentleman to say that on no occasion was a casual Chairman to be placed in the Chair without the consent of the House. If he understood the matter rightly, the hon. and learned Member (Sir Farrer Herschell) had taken the Chair without having been placed there by any authority whatever. He, therefore, appealed to the hon. and learned Gentleman, as being cognizant of the Rules of the House, to say whether he ought not to have been voted into the Chair; and if that were so, whether a division, if necessary, ought not to be taken upon that question? For his own part, he regarded the hon. and learned Gentleman as not having been properly placed in the Chair, and he was anxious to know what was the course that ought to be taken under the circumstances.

Mr. GLADSTONE said, he would suggest what appeared to him to be the best course of proceeding. He might, however, first observe that his promised Resolution for altering the position of a casual Chairman had not yet been passed. The course which he submitted to the House was this. A certain number of hon. Members were under the impression that they had gone through the regular course of proceeding necessary to bring about a division; they had been, however, by some error of proceeding, or otherwise, prevented from obtaining that division. Speaking on his own conviction only and without pledging himself, he recognized that a difficulty had arisen and that they should find a remedy for it if possible. This they ought to do without violating any Rule of the House. He believed it to be a fundamental Rule that they could not go back and interpolate anything between one Order of the Day and that which preceded it; that was to say, if they arrived at a later Order of the Day by an irregularity, that irregularity must be questioned on its own ground, and not by setting aside the Order of the Day at which they had arrived. How then could satisfaction be given to hon. Gentlemen who desired to know how it was they had been prevented from obtaining a division on the previous Motion? It was too late then for his right hon. Friend to proceed with the Customs and Inland Revenue Bill, and that circumstance he believed would make the desired opening. The most regular and usual course would be that the matter should be raised upon Notice to-morrow. But he did not believe there would be any violation of Order in their prosecuting another course — namely, that when, after reporting Progress in the regular way, the present Order had been disposed of, they should go through the other Orders of the Day—the Government not wishing to raise any debate upon them that evening—simply for the purpose of postponing them. When those Orders had been gone through, it would be perfectly competent to any hon. Member, before the adjournment of the House, to raise the question with reference to Mr. Deputy Speaker having left the Chair under the circumstances. As he believed this course would meet the views of the House, he would move that Progress be reported.

Motion made, and Question proposed, "That the Deputy Chairman do report Progress, and ask leave to sit again."—(*Mr. Gladstone.*)

Mr. ARTHUR O'CONNOR, said, the right hon. Gentleman the Prime Minister appeared to miss the point of contention. The right hon. Gentleman assumed that they were really sitting in Committee; but he and his hon. Friends altogether demurred to that assumption. The Deputy Chairman had been placed in the Chair for the purpose of going into Committee by a mistake on the part of the Deputy Speaker, who, on his decision being challenged, had not gone through the regular process of dividing the House; and, therefore, according to the proper course of Parliamentary procedure, they had not advanced to the second Order of the Day at all. That being so, he did not see how the error could be corrected until the Deputy Speaker resumed his seat.

Question put, and *agreed to.*

Committee report Progress; to sit again upon *Thursday.*

The DEPUTY SPEAKER (Sir Arthur Otway): I think it desirable to offer an explanation to the House with regard to the misapprehension which I regret has occurred. I put the Question of the adjournment of the debate, I believe, three times; and although the first decisions were challenged, there were afterwards loud cries of "Agreed!" and accordingly I put the Question a fourth time, and as I heard no response to the decision that the Ayes had it, I considered the Opposition to the Motion was withdrawn. If through a mistake of mine any inconvenience has arisen, I beg to assure the House that I greatly regret it.

## MUNICIPAL CORPORATIONS (UNREFORMED) BILL.—[Bill 6.]

(*Sir Charles Dilke, Secretary Sir William Harcourt, Mr. Chamberlain, Mr. Attorney General.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Mr. GLADSTONE, said, a short time ago he proposed to run through the Orders of the Day. He now proposed that they should enter upon no opposed or contested matter; and that the present Order, to which there was no opposition, should be allowed to go forward.

Sir MICHAEL HICKS-BEACH, said, it was clearly understood from the statement of the right hon. Gentleman the Prime Minister, that no other Order of the Day should be proceeded with; and it was upon that understanding that several Members to his knowledge had left the House. For his own part, he thought there was a good deal of matter in this Bill that required consideration; and he would therefore move that Progress be reported.

Motion made, and Question proposed, "That the Deputy Chairman do report Progress, and ask leave to sit again."—(*Sir Michael Hicks-Beach.*)

Sir CHARLES W. DILKE, said, he desired that the Bill might pass through Committee, so that it might be reprinted with the Amendments that were on the Paper, and which had been agreed to. The great majority, he might say the whole, of the Corporations were desirous that the Bill should go forward. There should be time for the Bill to be reprinted.

Mr. SIDNEY HERBERT rose to a point of Order. He observed that the Deputy Chairman was in the Chair, and he wished to know how he had got there? As a matter of fact, Mr. Deputy Speaker made an explanation just now in the Chair, and walked out of it before Progress had been called. He (Mr. Sidney Herbert) wished to know, as a point of Order, how he (Sir Farrer Herschell) had got into the Chair?

The DEPUTY CHAIRMAN (Sir Farrer Herschell): The hon. Member is aware that a certain proposal has been put on the Paper by the right hon. Gentleman at the head of the Government with a view to fixing for the future the system on which casual Chairmen are to be appointed. Notice of opposition has been given, and the Motion has not come on; therefore, the old practice continues. When Progress was called on this Bill, at the request of the Member in charge of it, I took the Chair in the manner in which it has been usual to take it when the regular Chairman has been unable to do so. The regular Chairman is now occupied in filling the post of Deputy Speaker; therefore, I am in the Chair in accordance with the usual practice.

Mr. SIDNEY HERBERT said, he had not meant to refer to any personal matter. He had only desired to draw attention to the fact that the Deputy Speaker had left the Chair without putting the usual Question.

The DEPUTY CHAIRMAN (Sir Farrer Herschell): The hon. Member would be quite right in the case of a Bill going into Committee for the first time; but when a Bill is already in Committee, the Speaker having left the

Chair on a previous occasion, when that Bill is called on, and the Member in charge of it wants it to be proceeded with, he simply says "Progress," and the Speaker leaves and the Chairman takes the Chair.

Mr. MACARTNEY said, they were in a kind of "Comedy of Errors" just now. It was proposed to go on with this Bill; but it was a well-known Rule of the House that if a measure was opposed it could not come on after half-past 12 o'clock. There were Amendments to this Bill; and many hon. Members had left the House, believing that all the Orders would be run through, as had been proposed by the Prime Minister. It would be hard on those hon. Gentlemen to go on with the Bill in their absence. It seemed to him that the Government were taking an unfair advantage of hon. Members.

Sir CHARLES W. DILKE: I have already said that hon. Members who have Amendments to the clauses which will be considered to-night were aware that the Bill was coming on. There are 18 Amendments on the Paper; 14 I can accept, two will not be moved, and the other two are in charge of hon. Members who wish them to be considered to-night. Under the circumstances, I do not think it can fairly be said that we have taken advantage of hon. Members.

Mr. MACARTNEY: Are all Members interested ready and prepared to have their Amendments discussed?

Sir CHARLES W. DILKE: Yes.

Sir MICHAEL HICKS-BEACH: I had no idea that the hon. Baronet had been so successful in arranging with his adversaries. As I do not wish to impede the Business of the House, I will withdraw my Motion.

Motion, by leave, *withdrawn.*

Mr. O'DONNELL wished to know whether it would not be better for them to stick to the arrangement originally proposed by the Prime Minister and accepted by the House? If they did not stick to it, this would be a precedent authorizing, in the future, alterations of arrangements which had been apparently entered into and accepted by both sides of the House. Of course, it was always possible to bring forward reasons for changing almost any arrangement entered into, and, no doubt, there was good ground, in the opi

Prime Minister, for departing from the agreement into which he had entered with the House. The House, however, should maintain their side of the contract, whatever might be the views of the Government on the subject. Therefore, let Progress be reported, and let them run through the Orders formally, and meet on another occasion to go on with this Bill, when even the knotty question of casual Chairmen would be settled. He was prepared to make every allowance to the Government in regard to the habit they had contracted and the right they claimed of changing their principles on the shortest possible notice; still, he thought that the House, when it had been party to an arrangement, should adhere to that arrangement and see it carried out.

Motion made, and Question proposed, "That the Deputy Chairman do now leave the Chair."—(*Mr. O'Donnell.*)

Sir CHARLES W. DILKE: I would ask the attention of the hon. Gentleman to this fact. This Bill is necessary in the interests of the Corporations mentioned in it. A considerable waste of property has been going on for some time, and they are all anxious that some decision should be arrived at by the House.

Mr. O'DONNELL said, he understood recently, from the Motion which had been moved by the hon. Member for Burnley (Mr. Rylands), that the waste of public property was not confined to these Corporations. The allegation was made against Her Majesty's Government, so that it would, perhaps, on the whole, be well to enter into this important question, generally, on a future occasion. He knew the importance attached to it by the right hon. Gentleman the Head of the Local Government Board; but, even in consequence of that importance, would it not be well for them to discuss the matter at some more reasonable hour?

Mr. THOROLD ROGERS: The statement of the hon. Member is incorrect. The Prime Minister only said he would not proceed with the Customs and Inland Revenue Bill.

Viscount FOLKESTONE said, he would point out to the Committee that, owing to what the right hon. Gentleman the Head of Her Majesty's Government had said as to going through the Orders of the day *pro formâ*, and not taking contentious Business, a great number of Members had left the House. They had just now been informed that those who had Amendments on the Paper were present and were prepared to move them —two Amendments, it was said, were to be moved. Well, he (Viscount Folkestone) looked at the Paper, and he found four Amendments down in the name of the noble Lord the Member for Woodstock (Lord Randolph Churchill), and he did not see the noble Lord in his place.

Sir CHARLES W. DILKE: I stated that there were 18 Amendments on the Paper, 14 of which I could accept. I approve of all the Amendments of the noble Lord the Member for Woodstock.

Viscount FOLKESTONE said, there might be some hon. Members who had left the House who might have thought it right to remain to move Amendments if they had not believed that the Bill would not be taken. It might be that the Government, by the course they had taken, had occasioned considerable opposition to the Bill.

The CHANCELLOR of the EXCHEQUER (Mr. Childers) reminded the Committee that his right hon. Friend (Sir Charles W. Dilke) had stated most distinctly that every Member who was interested in the Bill was in the House or had given him charge of his Amendments. Therefore, the undertaking of the Prime Minister had not been departed from.

Viscount FOLKESTONE thought most Members had understood the Prime Minister to say that he would go through the Orders *pro formâ*, in order that they might be read from the Table and a day fixed for their resumption. A great many Members had gone away under a misapprehension, and he felt that the Government had broken faith with the House by expressing their intention to proceed with the Business on the Paper.

Colonel MAKINS wished to appeal to the noble Lord not to persist. The Amendments on the Paper were, as the right hon. Baronet (Sir Charles W. Dilke) had explained, Amendments which had been considered by the Members in charge of them with himself, and also by a deputation from the various corporations and constituencies concerned. He believed there was nothing of a contentious nature which would now be brought forward, and it certainly would be advantageous to many of the constituencies if the Bill could be gone through to-night. If any question should arise it could be taken on the Report. He was sure the right hon. Gentleman had no intention to take advantage of hon. Members who were absent.

Mr. AKERS-DOUGLAS said, that as he had an Amendment on the Paper which the right hon. Gentleman was prepared to accept, he would appeal to the noble Lord to allow the Bill to be proceeded with, on the understanding that there would be an opportunity for moving Amendments subsequently.

Mr. WARTON said, he thought the right hon. Gentleman had treated the House with the utmost fairness. Every engagement he had made he had kept most faithfully, and it was only due to the right hon. Gentleman to say so. At the same time, he could not quite accept the explanation given of what the Prime Minister had said, and he thought a fair compromise would be to go on with the Bill practically as unopposed, and then not take the other Orders.

The CHANCELLOR of the EXCHEQUER (Mr. Childers) said, there was no intention to take any other of the Orders.

Mr. MACARTNEY said, it was contrary to the practice to take Business which was opposed after half-past 12. To do that would be to establish an undesirable precedent. It might be desirable to go on with this Bill, but the House ought to be very cautious in establishing precedents even for the best possible object.

Sir CHARLES W. DILKE said, the hon. Member had twice spoken under a misapprehension. There was no Rule of the House against proceeding after half-past 12 with a Bill which was already in Committee. This was not an opposed Order of the Day. It had been already in Committee, four weeks ago, when it was referred with the understanding that it should proceed.

Sir JOSEPH M'KENNA hoped the objections to proceeding with the Bill would not be pressed. On the whole, he thought a substantial explanation had been made by the Government.

Mr. ARTHUR O'CONNOR said, it seemed to him to be a very great assumption on the part of the right hon.

Gentleman to assume that only those Members were interested in this Bill who had placed Amendments on the Paper. There were a great many Members who were interested in the Bill who had not placed Amendments on the Paper; but now was it reasonable to expect them to wait to discuss the Bill at this hour? He had been engaged in Parliamentary duties since 12 o'clock in the day, and there were many hon. Members who, like himself, had been sitting on the Grand Committee on Trade all day, and subsequently had been in the House. To-morrow, at 12, another Grand Committee would sit, and it was not reasonable to expect Members to sit through so many hours as the Government seemed to wish. The Government not only had their own nights, but they proposed to take to-morrow; and now they wished the House to sit into the small hours. They ought not to throw an unreasonable burden on the House; and although he would not instigate his hon. Friend to go against what he might believe to be the sense of the House, he must protest against this system of taking important Bills at such an hour, when they could not properly be discussed.

Mr. BIGGAR rose to Order, and said, the question whether the Chairman had any right to be in the Chair had been twice raised, and, as far as he could see, it had not been decided. One of the New Rules, as he understood, provided that no Chairman of the Committee should be in the Chair unless he had been formally appointed by the House, by a special Resolution of the House to that effect. It seemed to him that if the principal Chairman had to be elected by the vote of the House, the Deputy Chairman who took his place ought also to be elected by the House.

The DEPUTY CHAIRMAN (Sir Farrer Herschell): On the point of Order raised by the hon. Member, I have already stated that although a change in the Rule with regard to casual Chairmen has been proposed, no such change has been made, and, therefore, I took the Chair in accordance with the established practice under which I and other Members have occupied the Chair.

Mr. BIGGAR: I know very well you said so.

The DEPUTY CHAIRMAN (Sir Farrer Herschell): The hon. Member raised a point of Order with which I have dealt. On a Motion to report Progress the hon. Member is not in Order in discussing matters of this kind. He must confine himself to the Motion that I leave the Chair.

Mr. BIGGAR said, he thought that until the question as to the position of the Chairman had been decided, Progress should be reported. The hour was now late; this Bill was one of considerable length, and a number of Amendments were of such a nature that they would require a great deal of discussion. He objected to the principle of going through important Bills in a haphazard manner, because the general result was that a fresh Bill had to be brought in in the following Session. This was one of the proposals by which time was wasted, and which caused the deadlocks of which they had already had experience this Session. He hoped his hon. Friend would not allow the Motion to report Progress to be withdrawn.

Mr. O'DONNELL said, they were passing through all the Business of the Government in a formal mode, and at this moment what more binding pledge could be expected from the right hon. Gentleman? He could fully enter into the spirit of the appeal made to him by his hon. Friend the Member for Youghal (Sir Joseph M'Kenna); but he wished to insist on the real point and substance of the whole issue—namely, that an agreement had been entered into with the House; and although the Prime Minister might have regretted that engagement, he had no power to go from it, and it would be an exceedingly bad precedent for the future to allow that to be done. The hon. Member had reminded him that the right hon. Gentleman in charge of this Bill had always treated the House kindly. He did not deny that a milder-mannered Minister never bombarded Alexandria; but the question was whether, having a regular agreement with the Government, they were to allow the Government to slip out of their agreement upon their own Motion? In order to protest against that he must take advantage of the Forms of the House.

Question put.

The Committee *divided:*—Ayes 20; Noes 124: Majority 104.—(Div. List, No. 76.)

Clauses 1 and 2 *agreed to.*

Clause 3 (Future abolition of corporations, except as provided by new charter, or by scheme under 40 & 41 Vict. c. 69).

On the Motion of Sir Charles W. Dilke (for Lord Randolph Churchill), Amendment made, in page 2, line 36, by leaving out from "scheme" to the end of the clause, and inserting, as a new paragraph—

> "2. Provided that until any such scheme takes effect the said property shall continue to be held, managed, and enjoyed as heretofore in like manner as if a scheme of the Charity Commissioners, in pursuance of this Act, had provided for such holding, management, and enjoyment, and for that purpose the persons managing the property shall continue in like manner as if they were a body constituted by the scheme for the administration of such property, but the legal estate in the property shall vest in the official trustees."

Clause, as amended, *agreed to.*

Clause 4 *agreed to.*

Clause 5 (Inquiry as to places mentioned in first part of First Schedule).

Mr. SIDNEY HERBERT moved, in page 3, lines 20 and 21, to leave out the words "the Privy Council shall cause an inquiry to be made into the expediency of advising," and to leave out the word "to" in line 21, and insert "shall." If the Amendment were agreed to, the sub-section would then read—

> "As soon as conveniently may be after the passing of this Act Her Majesty shall grant a charter extending the Municipal Corporation Acts to the several places mentioned in the first part of the First Schedule to this Act."

There was a very strong feeling in most of the Corporations prizing their ancient Charters, that the effect of the right hon. Gentleman (Sir Charles W. Dilke) having put them in a Schedule by themselves would be to take away from them their old Charters. Was it to be understood that their old Charters would exist, and that fresh Charters would be granted, placing them under the Municipal Corporations Act?

Amendment proposed,

In page 3, line 20, to leave out the words "the Privy Council shall cause an inquiry to be made into the expediency of advising," and to leave out the word "two" in line 21, and insert "shall."—(*Mr. Sidney Herbert.*)

Question proposed, "That those words be there inserted."

Sir CHARLES W. DILKE said, he was glad the hon. Gentleman the Member for Wilton (Mr. Sidney Herbert) had proposed this Amendment, as it enabled him to make a statement which he thought was expected by some of the Corporations as regarded their Charters. He had no doubt the statement would be satisfactory to them and to the hon. Gentleman also. To fix boundaries would be a work of great difficulty for the House to undertake, and it was the belief of all those who had carefully considered the matter that there must be an inquiry for the purpose of fixing boundaries. There was the difficulty of the School Board and Local Board districts, conflicting with the existing Corporation authority or any new one, and to grapple with the difficulty it was considered that some kind of inquiry must be held. He had consulted the Lord President of the Council, and he was able to state on behalf of the Privy Council that no real distinction would be made between what might be called the first half of the First Schedule and the second half of the First Schedule. They nevertheless proposed to grant the Charter recommended in cases where there was a desire amongst the inhabitants that a new Charter should be granted. There were some boroughs in the first part of the Schedule which did not desire it, but there were some in the second part of the Schedule which did desire it. Amongst the boroughs in the first half of the Schedule there were two where inquiries had already been held, and which by the Bill would receive their Charter at once, namely—Henley and Woodstock. An inquiry was held at Sutton Coldfield a long time ago; and as regarded Lampeter, Christchurch, Axbridge, New Romney, and Wilton, there was a strong local desire for the granting of a Charter, and he would do his best to have an inquiry held in those cases as soon as possible. As regarded Wilton he had received a Memorial signed by almost all the electors on the register, and by everybody who was in the town at the time except the actual members and officers of the present Corporation who did not like to sign the document on account of the position they occupied. The Memorial was in favour of the granting of a Charter, and he could not regard it otherwise than as representing the unanimous feeling of the town. He hoped his hon. Friend would not press the Amendment for reasons he had given. He could assure the hon. Gentleman that no delay should occur in making the inquiries.

Mr. SIDNEY HERBERT said, the right hon. Gentleman had spoken about the fixing of the boundaries. Would it be competent for any Corporation to make any proposal with regard to the extent of their boundaries?

Sir CHARLES W. DILKE said, Corporations would have such right, and he intended to accept an Amendment which would enable Corporations even to exclude a neighbouring village or place.

Mr. SIDNEY HERBERT said, he understood Henley and Woodstock would have new Charters instantly, but under what authority?

Sir CHARLES W. DILKE said, he had stated that an inquiry had already been held in those cases since the Royal Commission reported. In the case of Woodstock the granting of the Charter which should have been made last autumn was suspended on account of a local difficulty, and in the case of Henley the boundaries were under discussion at the present moment.

Mr. SIDNEY HERBERT asked if he was to understand that any Corporation who applied to the Privy Council might have their cases settled without the Act at all?

Sir CHARLES W. DILKE said, the cases he had mentioned would be the places where the inquiries would be held most rapidly.

Mr. SIDNEY HERBERT asked if there were any boroughs entitled to receive new Charters without any Bill of this sort?

Sir CHARLES W. DILKE said, there were not. He had spoken of a local difficulty existing at Woodstock, and that local difficulty was caused by the absense of this Bill. If a new Charter were granted to Woodstock and this Bill were not passed, there would be two Corporations co-existing in the borough; and that, of course, would be quite impossible.

Mr. EVANS WILLIAMS asked why there should be any inquiry at all? If the boroughs were put in the Schedule because they were considered fit to be reformed, and if they were willing to be reformed and brought under the Act of 1835, why should they not be allowed to come under that Act without further inquiry? One of the boroughs he represented was perfectly willing to be reformed; but it did not see why it should have a new inquiry, because it had already been inquired into by the Royal Commission of 1876, whose Report was the basis of this Bill.

Sir CHARLES W. DILKE said, what he pointed out just now was that inquiries were necessary for the purpose of fixing the boundaries. It was most important there should be no conflict with the School Board boundaries or the Local Board boundaries. For instance, in the case of Henley, the old Corporation boundary ran through the middle of the town, and it was absolutely necessary to extend the boundary in order to bring in the population.

Mr. EVANS WILLIAMS asked if the Committee were to understand that the only object of the inquiry was to fix the boundaries, and not to ascertain the fitness of the borough to be reformed?

Sir CHARLES W. DILKE said, the general wish of the population must be ascertained. He had pledged himself that the Privy Council would not lay down so rigid a rule with regard to boroughs which had had a lot of old institutions as they would in the case of places applying for municipal institutions for the first time.

Mr. SIDNEY HERBERT asked if it was proposed to deprive existing Corporations of their old Charters? Corporations greatly valued their old Charters, and therefore he supposed the Charters would be handed over to the new Corporations under the Act. The borough he was particularly interested in (Wilton) held its Charter from the time of Henry III.

Sir CHARLES W. DILKE said, Corporations would be granted new Charters, so that they could obtain the new powers. The old Charters would remain with them.

Amendment, by leave, *withdrawn.*

On the Motion of Mr. Horace Davey, Amendment made, in page 3, line 23, after "Act," by inserting—

> "and also whether it is expedient that any adjoining district not included in the existing Corporations shall be included in the places to which such charters may be granted."

Sir CHARLES W. DILKE moved, in page 3, line 30, to leave out from "since" to the end of the clause, and insert "the first day of January one thousand eight hundred and seventy-nine." There was an inquiry at Sutton Coldfield just before the date mentioned in the Bill. It was thought better to bring the borough in without any fresh inquiry, and the Amendment was proposed with that object.

Amendment proposed,

In page 3, line 30, leave out from "since" to the end of the clause, and insert "the first day of January one thousand eight hundred and seventy-nine."—(*Sir Charles W. Dilke.*)

Question, "That those words be there inserted," put, and *agreed to.*

Clause, as amended, *agreed to.*

Clause 6 (Power to Privy Council to preserve certain courts and officers).

Sir CHARLES W. DILKE begged to move the Amendment standing in the name of the noble Lord the Member for Woodstock (Lord Randolph Churchill) —namely, in page 3, line 36, after "Parliament," to insert "or as town clerk for the purpose of the registration of parliamentary voters." The Amendment was intended to clear up the question as to the registration of freemen in Parliamentary boroughs.

Question, "That those words be there inserted," put, and *agreed to.*

Sir CHARLES W. DILKE also moved for the noble Lord (Lord Randolph Churchill) to insert, in page 3, line 36, at the end of the clause, as a new paragraph—

"(2.) Subject to the provisions of any Order of the Privy Council any person who at the passing of this Act holds an office by virtue of which he is such returning officer or town clerk as aforesaid may during the time limited for the tenure of his office continue to perform the duties of such returning officer or town clerk as aforesaid, and on the expiration of such time, or his otherwise ceasing to perform the duties, the said duties shall, so far as regards the returning officer, be performed in manner provided by the Act of the Session of the seventeenth and eighteenth years of the reign of Her present Majesty, chapter fifty-seven, intituled 'An Act to amend the Law relating to the appointment of returning officers in certain cases,' and so far as regards the town clerk shall be performed by the person in the parliamentary borough who is town clerk within the meaning of section one hundred and one of 'The Parliamentary Registration Act 1843.'"

This and the several following Amendments standing in the name of the noble Lord (Lord Randolph Churchill) were the incorporation in this Bill of the clauses on this subject which were in the Act of 1835. As to the saving of right, the noble Lord had taken the same provisions as were contained in the Act of 1835.

Question, "That those words be there inserted," put, and *agreed to.*

Clause, as amended, *agreed to.*

Clause 7 *agreed to.*

Clause 8 (Power of Charity Commissioners).

Mr. SIDNEY HERBERT said, that in line 2 of the clause provision was made for the appointment of interim trustees and otherwise. It would be well the Committee should have some idea who the trustees would be—to whom would be given the custody of the valuable documents and so forth.

Sir CHARLES W. DILKE said, three years were allowed for the Act to come into force, and he hoped that in the course of that time all the inquiries as to boundaries and the like would be completed. The clauses relating to interim matters were only intended to guard against possible dangers.

Mr. SIDNEY HERBERT said, that supposing by any chance the Privy Council did not grant a new Charter, what was to become of the ancient valuable Charter?

Sir CHARLES W. DILKE said, in case a new Charter was not granted, the documents and maces would be part of the property which would not be dealt with by trustees.

Sir CHARLES W. DILKE (for Lord Randolph Churchill) moved, in page 4, line 34, to leave out from "scheme" to end of line 37, and insert, as a new paragraph—

"(2.) If any such property has after the first day of March one thousand eight hundred and eighty three, and before the date at which a charter or a scheme under this Act, or 'The Municipal Corporations Act, 1882,' as the case may be, takes effect, been alienated by way of sale, mortgage, grant, lease, charge, or otherwise, and such alienation has not been made in pursuance of some covenant, contract, or agreement bonâ fide made or entered into on or before the said first day of March, or of some resolution duly entered in the Corporation books of the Corporation on or before the said first day of March, or in pursuance of any right saved by this Act, and such alienation has been made collusively and for no consideration, or for insufficient consideration, such alienation may be set aside in the like proceedings (instituted with the consent of the Charity Commissioners or of the Attorney General) and in like manner as a lease of land of a charity granted without due consideration may be set aside: Provided, That if a charter is granted or a scheme made whereby the property is affected, the said proceedings shall be commenced within one year after the charter or scheme takes effect."

Also, in page 5, line 5, at end, to insert as a fresh paragraph—

"(4.) Any Corporation or person aggrieved by an order of the Charity Commissioners under this Act may appeal to the Privy Council, and the Privy Council may, after hearing the parties, make such order as in their opinion the Charity Commissioners ought to have made; and such order shall have the same effect under this Act as if made by the Charity Commissioners."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 9 *agreed to.*

SIR CHARLES W. DILKE (for Lord RANDOLPH CHURCHILL) moved, in page 5, before Clause 10, to insert the following Clause:—

(Reservation of rights of property and beneficial exemptions to freemen, their wives, and children.)

"(1.) Every person who now is or hereafter may be an inhabitant of any borough mentioned in any of the schedules to this Act, and also every person who has been admitted or might hereafter have been admitted a freeman or burgess of any such borough if this Act had not been passed, or who now is or hereafter may be the wife or widow or son or daughter of any freeman or burgess, or who may have espoused or may hereafter espouse the daughter or widow of any freeman or burgess, or who has been or may hereafter be bound an apprentice, shall have and enjoy and be entitled to acquire and enjoy the same share and benefit of the lands, tenements, and hereditaments, and of the rents and profits thereof, and of the common lands and public stock of any such borough or any municipal or other Corporation thereof, and of any lands, tenements, and hereditaments, and any sum or sums of money, chattels, securities for money, or other personal estate, of which any person or any Corporation may be seised or possessed in whole or in part for any charitable uses or trusts, as fully and effectually, and for such time and in such manner as he or she by any statute, charter, bye-law, or custom in force at the time of passing this Act might or could have had, acquired, or enjoyed in case this Act had not been passed: Provided that—

(a.) The total amount to be divided amongst the persons whose rights are herein reserved in this behalf shall not exceed the surplus which shall remain after payment of the interest of all lawful debts chargeable upon the real or personal estate out of which the sums so to be divided have arisen, together with the salaries of municipal officers, and all other lawful expenses which, on the first day of March one thousand eight hundred and eighty-three, were defrayed out of or chargeable upon the same;

(b.) Nothing hereinbefore contained shall be construed to apply to any claim, right, or title of any burgesses or freemen, or of any person, to any discharge or exemption from any tolls or dues levied wholly or in part by or to the use or benefit of any borough or Corporation; and after the passing of this Act no person shall have or be entitled to claim thenceforward any discharge or exemption from any tolls or dues lawfully levied in whole or in part by or to the use of any Corporation, except as hereinafter is excepted;

(c.) Nevertheless, every person who, on the said first day of March, was an inhabitant, or was entitled to be admitted a freeman or burgess of any borough, mentioned in any of the Schedules to this Act, or who on the said first day of March was the wife or widow, son or daughter, of any freeman or burgess of any such borough, or who on the said first day of March was bound an apprentice, shall be entitled to have or acquire and enjoy the same discharge or exemption from any tolls or dues lawfully levied in whole or in part by or to the use of any borough or Corporation as fully and for such time and in such sort as he or she, by any statute, charter, byelaw, or custom in force on the first day of March, might or would have had, acquired, and enjoyed the same if this Act had not been passed, and no further or otherwise;

(d.) Where, by any Statute, charter, byelaw or custom in force at the time of passing this Act within any of the boroughs mentioned in any of the Schedules to this Act, any person whose rights in this behalf are herein reserved would have been liable in case this Act had not been passed to pay any fine, fee, or sum of money to any Corporation, or to any member, officer, or servant of any Corporation, in consideration of his freedom, or of his or her title to such rights as are herein reserved, no such person shall be entitled to have or claim any share or benefit in respect of the rights herein reserved as aforesaid, until he or she shall have paid the full amount of such fine, fee, or sum of money to the treasurer of such borough, elected under 'The Municipal Corporations Act, 1882,' or to such other person as may be appointed in that behalf by a scheme under that Act or under this Act;

(e.) Nothing in this Act contained shall be construed to entitle any person to any share or benefit of the rights herein reserved who shall not have first fulfilled every condition which, if this Act had not passed, would have been a condition precedent to his or her being entitled to the benefit of such rights, so far as the same is capable of being fulfilled according to the provisions of this Act, or to strengthen, confirm, or affect any claim, right, or title of any burgesses or freeman of any borough or Corporation, or of any person, to the benefit of any such rights as are hereinbefore reserved, but the same in every case may be brought in question, impeached, and set aside in like manner as if this Act had not been passed.

"(2.) From and after the passing of this Act no person shall be elected, made, or admitted a burgess or freeman of any borough mentioned in any of the Schedules to this Act by gift or purchase.

"(3.) Every scheme under 'The Municipal Corporations Act, 1882,' or this Act, shall, if need be, provide for carrying this section into effect, and for the enrolment of persons from time to time entitled under this section, and a scheme may be made for that purpose or for the purpose of managing any property to which the said persons may be for the time being entitled."

Amendment *agreed to.*

Clause 10 (Saving for vested interests).

SIR CHARLES W. DILKE (for Lord RANDOLPH CHURCHILL) moved to insert, after "profit," in line 41, "or any other profit of a pecuniary value;" and, in page 6, after "rate," in lines 17 and 21, to insert "toll or due."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 11 *agreed to.*

Clause 12 (Saving as to Cinque Ports).

SIR CHARLES W. DILKE intimated that clauses would be brought up on the Report saving the rights of the Lords of Romney Marsh. The Commissioners of 1876 were of opinion that the Municipal Corporation Acts might be applied to New Romney, but made no mention of Winchilsea. In the event of Winchilsea being included the local authorities, who were the mayor, jurats, and commonalty, would be required to give up the licensing powers they now possessed, which were extremely anomalous.

MR. INDERWICK thought there would be no difficulty in that matter.

MR. DILLWYN inquired when his right hon. Friend proposed to take the Report?

SIR CHARLES W. DILKE said, it would be printed in time for Amendments, and he would put it down for that day week.

MR. PUGH asked if the right hon. Gentleman could give any idea of the amount of compensation that would be necessary under the Act before a new Charter was granted to one of these Corporations?

SIR CHARLES W. DILKE said, the great majority of these places with Corporations had only a population of something like 2,000, and there were several with a population smaller than that.

Clause *agreed to.*

Clauses 13 and 14 *agreed to.*

Clause 15 (Saving for lords of Romney Marsh).

MR. AKERS-DOUGLAS moved the omission of the words "but only to the Corporation of Romney Marsh" mentioned in the First Schedule to this Act. If it were provided that the Act should not apply to the lords, bailiffs, and jurats of Romney Marsh, these words would not be necessary; but if there were any doubt upon the matter, he would move an Amendment upon the Report.

Amendment proposed, to leave out the words "but only the Corporation of Romney Marsh."—(*Mr. Akers-Douglas.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR CHARLES W. DILKE pointed out that there were two corporate bodies connected with Romney Marsh. The whole position of Romney Marsh was peculiar and anomalous, and there was some doubt as to whether Romney Marsh was a Municipal Corporation at all, and there would be great difficulty in providing it with a separate existence. He admitted that there was a claim for considering the two bodies separately; but they were rather liberties than boroughs, and in the case of both of them the licensing jurisdiction was anomalous. Licences could be bought or sold, which was highly objectionable. He asked hon. Members who were interested in these places to consider whether it was not desirable to effect some compromise, and to allow the county magistrates to exercise the licensing jurisdiction, retaining the ancient custom for other purposes?

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clauses 16 to 18, inclusive, *agreed to.*

Clause 19 *agreed to.*

MR. LONG moved, after Clause 16, to insert the following Clause:—

(Saving as to Laugharne and Malmesbury.)

"Whereas in Laugharne and Malmesbury divers of the Corporation, whether called burgesses, landholders, or any other name, have the right to occupy without rent or at low rents certain property belonging to the Corporation, and it is expedient to make provision with respect to such property, be it enacted as follows:—

"(1.) In the event of a charter not being granted to Laugharne or Malmesbury, the property of the Corporation of the place to which a charter is not so granted shall continue to be held, managed, and enjoyed as heretofore, in like manner as if a scheme of the Charity Commissioners, in pursuance of this Act, had provided for such holding, enjoyment, and management, and for that purpose the Corporation in the said place shall continue undissolved in like manner as if it were constituted by the said scheme.

"(2.) The Corporation of such place, subject to the approval of the Charity Commissioners, may sell all or any of the property of the Corporation for the best price that may be got for the same; and, after compensating or saving the rights of any person in such property, whether existing or prospective, may pay the proceeds to any public authority in the locality to be applied by such authority for the benefit of the inhabitants of the said place.

"(3.) The provisions of this Act and of 'The Municipal Corporations Act, 1882,' for saving the rights and interests of freemen and of persons who might have become freemen, shall extend to the rights and interests of persons who are or if this Act had not passed might have become landholders, assistant burgesses, or capital burgesses in Malmesbury, and for that purpose freemen of Malmesbury may continue to be elected landholders, assistant burgesses, and capital burgesses."

New Clause *brought up,* and read a first time.—(*Mr. Long.*)

Motion made, and Question proposed, "That the Clause be read a second time."

SIR CHARLES W. DILKE said, that if any hon. Member had any doubt as to the necessity of the clause, he would ask him to read the evidence taken by the Royal Commission.

Question put, and *agreed to.*

*Sir Charles W. Dilke*

Clause read a second time, and *added* to the Bill.

MR. WILLIAM DAVIES moved, after Clause 16, to insert the following Clause:—

(Saving for Newport, Pembroke.)

"Whereas it appears from the report of the Commissioners of 1876 that the office of mayor of Newport (Pembroke) is purely honorary, and that the Corporation has no revenue and no municipal function: Be it therefore Enacted as follows:—

"Nothing in this Act shall be deemed to prevent the election of the mayor of Newport (Pembroke) as heretofore, or to dissolve the Corporation of Newport (Pembroke), or deprive the lord of the manor or the burgesses of any tolls, rights of common, or other rights of a pecuniary value."

The hon. Member said, he understood there was no objection to the clause.

New Clause *brought up,* and read the first time.—(*Mr. W. Davies.*)

Motion made, and Question proposed, "That the Clause be read a second time."

SIR CHARLES W. DILKE said, he assented to the Clause.

Question put, and *agreed to.*

Clause *added* to the Bill.

COLONEL MAKINS moved, after Clause 17, to insert the following Clause:—

(Saving for Havering atte Bower.)

"This Act shall not be deemed to apply to the tenants or inhabitants of the lordship or manor of Havering atte Bower."

Havering atte Bower was not a Corporation in any sense; but he did not wish at that late hour to dwell upon the manner in which it differed from other Corporations. With regard to jurisdictions, the magistrates of Havering atte Bower had the right of licensing, but it was a right that was very rarely exercised. No doubt, they would feel great reluctance in giving up that right, if such a sacrifice were required of them alone. But as he understood from the right hon. Gentleman that all the anomalous jurisdictions in regard to licensing possessed by these bodies were to be put an end to, he would not ask to retain for Havering atte Bower privileges which were given up by other bodies similarly situated. He hoped the right hon. Gentleman would accept the clause, and he might point out to him that there was already in existence an Act of

Parliament 13 & 14 *Vict.* c. 105, which enabled the county, of which this liberty formed part, to absorb the liberty if it so desired; but the fact that the county had taken no action under the Act to absorb the liberty, proved that both parties were satisfied with the condition of things now existing. There were certain privileges now attaching to the liberty of Havering atte Bower, which were valued very much indeed; and as Havering atte Bower was neither a Corporation reformed or unreformed, it did not come naturally under the Act. As its absorption was already provided for, he moved that this clause should be added to the Bill, saving the rights of the authorities.

New Clause (*Colonel Makins*) *brought up,* and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

SIR CHARLES W. DILKE hoped his hon. Friend would not press the clause that night, if he (Sir Charles W. Dilke) undertook that further consideration should be given to the matter before the Report. The licensing powers possessed by Havering atte Bower were very curious and anomalous, and he feared that this clause would not have the effect of exempting the liberty from the operation of the Bill. The condition of Havering atte Bower was extraordinary and anomalous. There were three magistrates there, and two of them were actually nominated by a private individual, and the right of nomination had been sold before now. Although it was in excellent hands at the present moment, that might not always be the case; and it was certainly most undesirable to continue the licensing jurisdiction over a large area in the hands of three persons, of whom two were subject to the control of a private individual. He promised, if his hon. and gallant Friend would withdraw the clause, that he would consider the matter before the Report.

COLONEL MAKINS said he was quite prepared to adopt the suggestion of his right hon. Friend. He might mention in regard to these magistrates that the High Steward, who was one of them, was also a county magistrate, and also a licensing member, and therefore he acted in a double capacity. He quite agreed with his right hon. Friend that it was desirable to place the jurisdiction on such a footing that the state of things which had been described would no longer be possible, and with the permission of the Committee he would withdraw the clause, and communicate with his right hon. Friend, in order to arrange for another clause to be moved on the Report.

Clause, by leave, *withdrawn.*

Schedule 1.

On the Motion of Sir CHARLES W. DILKE, Amendment made in Schedule 1, page 1 2, line 46, by leaving out "mayor, alderman," and inserting "high steward, bailiffs."

MR. INDERWICK said he had given Notice of his intention to move to leave out "mayor, jurats, and commonalty of the ancient town of Winchelsea" from the First Schedule; but he did not propose to persevere with that Amendment.

Schedule, as amended, *agreed to.*

Schedule 2.

MR. BORLASE asked for information in regard to two boroughs that were included in the Schedule as places not mentioned by the Commissioners in 1876, to which the Municipal Acts might be applied, namely—Camelford and East Looe.

SIR CHARLES W. DILKE stated that Camelford possessed a population of more than 2,000, and it was an increasing place. If there was any desire for the existence of a Corporation, there was no doubt that it ought to be provided. With regard to East Looe, it had a population of about 1,400, and it was desirable that inquiries should be be made in reference it.

In reply to Mr. AKERS-DOUGLAS,

SIR CHARLES W. DILKE stated that the case of Queenborough had already been considered. It was a place in the same category as East Looe. It was increasing rapidly, and had a good prospect of becoming a fashionable watering place, while it was already the terminus of a new route to the Continent.

Schedule *agreed to.*

Preamble *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 156.]

## *MOTION.*

### BILLS OF EXCHANGE (SUMMARY JUDGMENT) BILL.

On Motion of Mr. MONK, Bill to provide for the registration of dishonoured Bills of Exchange and Promissory Notes, and to allow Summary Judgment thereon, *ordered* to be brought in by Mr. MONK, Mr. NORWOOD, Mr. LEWIS FRY, and Mr. ARNOLD MORLEY.

Bill *presented,* and read the first time. [Bill 157.]

House adjourned at a quarter after Two o'clock.

## HOUSE OF LORDS,

*Tuesday,* 1*st May,* 1883.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Pluralities Acts Amendment (42); Isle of Man (Harbours) * (50).

*Committee*—Court of Chancery of Lancaster * (43).

*Report* — Oyster and Mussel Fisheries Orders Confirmation * (33).

*Third Reading*—Mersey River (Gunpowder) * (46), and *passed.*

### PLURALITIES ACTS AMENDMENT BILL.—(No. 42.)

(*The Lord Bishop of Exeter.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE BISHOP OF EXETER, in moving that the Bill be now read a second time, said, that this Bill was identically the same as that which was passed by this House last year, but which, on going down to the Lower House, was there crowded out by the press of Business, and did not reach the second reading. The Pluralities Acts defined the relations between the endowments which a beneficed clergyman might hold and the duties which he had to discharge as holding those endowments. The Acts, therefore, laid down under what circumstances a beneficed person might hold more benefices than one; what provision he was to make for the discharge of the duties of the benefice in which he was non-resident; and what was to be done if he was accused of not discharging his duties. In various particulars, and especially in regard to the salaries assigned to curates, the Acts, which were very suitable to the time at which they were passed, were now found unsuitable; and the present Bill proposed to amend the Acts in those particulars. The Bill had been carefully prepared by a joint Committee of the two Houses of Convocation. The clergy, by their representatives, had therefore concurred in everything that the Bill contained.

*Moved,* "That the Bill be now read 2$^a$."—(*The Bishop of Exeter.*)

In reply to the Earl of CARNARVON,

THE BISHOP OF EXETER, said, that where an incumbent was non-resident and the population was more than 2,000, the Bishop was to be empowered to require the incumbent to appoint two curates.

Motion *agreed to;* Bill read 2$^a$ accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

### LAND LAW (IRELAND)—SUB-COMMISSIONERS.

QUESTION. OBSERVATIONS.

THE EARL OF LONGFORD asked Whether Sub-Commissioner Colonel Bailey had been removed from a Sub-Commission in Donegal, and for what reason and by whose authority he was removed? In putting the Question, the noble Earl said, it had been observed that this Sub-Commissioner had recently been removed for some mysterious reason which was not known, from one district to another. So far as they could understand, this did not appear to be part of the ordinary arrangements of the Land Commission in adjusting circuits, and it suggested the general impression that some influence from without had been brought to bear upon them. For these reasons, he wished to ask the Question which stood in his name.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL), in reply, said, he was not aware that there was anything peculiar in the fact that Colonel Bailey had lately been appointed to the Sub-Commission in Mayo instead of the

Sub-Commission in Donegal. He had been appointed under the authority of the Land Commission, who were the only persons having authority in the matter. In constituting the circuits recently, the Commissioners had, in the exercise of their discretion, made certain changes in the position of several Sub-Commissioners, and among these Colonel Bailey was sent to Mayo. Some days ago, a Question on this subject was addressed to the Chief Secretary to the Lord Lieutenant in "another place," although he supposed from an altogether opposite point of the compass to that occupied by the noble Earl opposite (the Earl of Longford). The Chief Secretary had given the answer that the Commissioners desired to be returned, and which he (Lord Carlingford) had now to repeat—namely, that they did not consider it to be their duty to publish their reasons for exercising their discretion in a matter of this kind, because, if they did, it would obviously lead to most inconvenient results. The Commissioners, in a letter written after Mr. Sexton's Question appeared on the Notice Paper of the House of Commons, said—

> "They noticed it stated that Colonel Bailey was removed from Donegal in consequence of his removal having been called for at a public meeting. The Commissioners have already given an unqualified denial to this allegation. They were not aware of any such public meeting having taken place at the time they appointed Colonel Bailey to Mayo Sub-Commission."

**Earl CAIRNS** said, that this subject had attracted a great deal of attention in Ireland, and he thought it was deserving of a more particular answer than the Question of his noble Friend had received from the Government. When the Land Act of 1881 was passed it was not, he thought, present to the mind of Parliament what would be done. It was thought that the decisions of the various local Courts would be in conformity, and that no great harm would be done, as there would be power to appeal against them, and the cases would be reheard. Consequently some of those vague clauses which were to be found in the Act, that there might be Sub-Commissioners appointed, were passed; but he did not know whether Parliament fully understood what was meant. It was said that if anything was wrongly done by the Sub-Commissioners there could be an appeal to the Land Court. It appeared to him entirely without precedent in the history of judicial arrangements for Judges of Appeal—as the Land Commissioners were—the Judges upon whom the ultimate responsibility was to rest, to have the power to change about the subordinate or primary Judges to different parts of the country. In the first instance, they tied down Sub-Commissioners to one county, and then, without rhyme or reason given to the public, they sent them away to another place. There was an old saying in Ireland, which, he believed, began in Cromwell's time, "that if you want to punish a man you should send him to Connaught." This Sub-Commissioner, Colonel Bailey, had had inflicted upon him the old punishment of Cromwell's time. What had be been sent to Connaught for? He was an Assistant Commissioner in Donegal. The Lord President referred to a public meeting. Yes; there was a public meeting, and he had a report of the public meeting before him—a most interesting report, with strong speeches protesting against the insufficient reductions of rent made by this Sub-Commissioner, and calling for his removal. The speakers called upon the Head Commissioners, by the powers which they possessed, to send him to Connaught, or any other place they thought fit, but to send him out of Donegal; and, in point of fact, the Sub-Commissioner was removed and sent out of Donegal. The Lord President had said the Government were asked a Question on the subject in "another place." That was quite true. The Government were asked by a Member of Parliament (Mr. Sexton) whether the reduction decreed by the present Sub-Commissioners of Donegal amounted in the average to 20¾ per cent; and the statement made by the Lord President last night was that the reduction was from 14 to 15 per cent only. He did not know what Mr. Sexton would say to that. Were not the Government aware that in Donegal the reductions decreed by the Sub-Commissioners amounted on an average to 20¾ per cent, nearly 2 per cent less than those given in March last by Mr. Gray and Colonel Bailey, the latter of whom had been removed from Donegal after a public meeting of tenants calling for his removal on account of the insufficiency of the reductions? This was the question put to the Government of the country. Were they aware that a meeting of those who were litigants before the Judge complained of the decisions; that they called on the head of that Judicial Department to send the Judge away; that he was sent away; and that notwithstanding the judgments were going on just as before, or rather worse? That was the view now taken of the Land Act, and of the way in which it was being administered. What must be the state of things in the country when such feelings prevailed and such language could be openly used in the face of the Government and Parliament? Did they not suppose that the new Sub-Commissioner who came would be affected by the circumstance that his predecessor had been "sent away to Connaught" because he had not reduced the rents enough, and did they not think that the man who had been sent to Connaught would take the hint and imagine that if he did not reduce the rents enough there he might have to go to—a worse place? The Lord President had given the answer which had been received from the Land Commissioners, but an answer more made by the card he had never heard. Their reply was that when they removed Colonel Bailey they were not aware of the meeting referred to. That might be possible; but were they not aware of the agitation that had been going on throughout the country, of which this meeting was only the culmination? Were they not aware that Members of Parliament were being appealed to—that there were private and public remonstrances against the insufficiency of the reductions in rent—did not the Land Commissioners know of all that? Were they not aware that this matter was even made a subject of denunciation in the pulpits of the county, and that a sermon had been actually preached from the text, "The rent is made worse?" If this was not the reason for the removal of Colonel Bailey, what other had they to give? If they had another reason let them give it, in order that it might re-assure the people and give them confidence. As long as they failed to do this, as long as they said they were not bound to give any reason, the conclusion to be formed was that drawn by Mr. Sexton—that they knew of the agitation and removed Colonel Bailey because of it.

## THE INTERNATIONAL FISHERIES EXHIBITION—THE PROPOSED FISH MARKET.

QUESTION. OBSERVATIONS.

VISCOUNT **BURY** asked Her Majesty's Government, Under whose authority would be placed the fish market which it was proposed to establish in the International Fisheries Exhibition; and whether the stalls, costermongers' carts, and other usual adjuncts of a fish market would be so regulated as to minimize the inconvenience which must be caused by the establishment of such a market in a West End thoroughfare? He put this Question out of no feeling of dislike to the Fisheries Exhibition, which he thought would be extremely interesting and valuable, but merely with a view of relieving, as far as possible, the inhabitants of South Kensington living in the neighbourhood of the Exhibition from the discomforts incidental to a fish market. Unless the market was placed under careful regulation, there could be no doubt that great inconvenience and annoyance would be caused to those residing in the immediate neighbourhood in which it was to be established. He had always understood that when such a market was established it came under a general Act of Parliament, and he should be glad if the Government would tell him under what authority this market had been established and how it was proposed to regulate it?

THE EARL OF **ROSEBERY**, in reply, said, the market had been established under the authority of the Executive Committee, and stringent regulations had been drawn up with regard to the arrangements. The stalls and retail shops would be under those regulations; there were no costermongers' carts in connection with the market; the fish was to be brought in before half-past 9 in the morning, and all refuse was to be removed before 7 o'clock in the evening.

## PARLIAMENT—THE WHITSUN RECESS.

EARL **GRANVILLE**: My Lords, I think it will be convenient to your Lordships if I now state that on Thursday in next week I propose to move that the House then adjourn for the Whitsun Holidays, and that we meet again on that day fortnight.

House adjourned at Five o'clock, till To-morrow, half past Ten o'clock.

# HOUSE OF COMMONS.

*Tuesday, 1st May,* 1883.

MINUTES.] — PRIVATE BILLS (*by Order*)—*Second Reading* — Rogerstown Reclamation and Quay Improvement *.

*Considered as amended* — London and North Western Railway (Additional Powers).

PUBLIC BILLS — *Ordered* — Local Government (Gas) Provisional Order (Festiniog) *.

*Ordered — First Reading* — Pier and Harbour Provisional Order (No. 2) (Whitby) * [158]; Municipal Corporations (Borough Funds) * [159]; Lands Clauses (Umpire) * [160]; Public Health Acts Amendment * [161].

*Second Reading*—Local Government Provisional Order (No. 2) * [143]; Parliamentary Oaths Act (1866) Amendment [89] [*Fourth Night*], *debate adjourned;* Friendly, &c. Societies (Nominations) [117].

*Second Reading—Referred to Select Committee*—New Forest (Highways) [135]; Forest of Dean (Highways) * [148].

*Committee* — Distress Law Amendment [44] —R.P.

## INDISPOSITION OF MR. SPEAKER.

The House being met, the Clerk at the Table stated that he had again to inform the House of the continued indisposition of Mr. Speaker, and of his unavoidable Absence:—

Whereupon Sir Arthur Otway, the Chairman of Ways and Means, proceeded to the Table as Deputy Speaker, and after Prayers counted the House, and 40 Members being present, took the Chair pursuant to the Standing Order.

## *PRIVATE BUSINESS.*

—o—

## LONDON AND NORTH WESTERN RAILWAY (ADDITIONAL POWERS) BILL

(*by Order*).

### CONSIDERATION.

Order for Consideration, as amended, read.

Motion made and Question proposed, "That the Bill, as amended, be now considered."

MR. J. HOLLOND rose to move—

"That the Bill be re-committed to the former Committee, and that it be an Instruction to the Committee to strike out the provisions which authorise the appropriation by the Railway Company of a considerable portion of the disused burial ground situate in the Parish of St. Pancras, and belonging to the Parish of St James's, Westminster, in order that this open space be not encroached upon or diminished."

The hon. Member said, he would make a statement to the House, as briefly as possible, of the reasons which induced him to take the course he was now taking. The question at issue really lay in a nutshell. It was simply this—whether the House would adopt the policy of preserving, as far as possible, for the public all the open spaces which remained to them in London, or whether they would allow those open spaces to be gradually filched away from the people under one pretext or another? In 1881 that House passed an Act called the "Open Spaces Act," the object of which was to facilitate the acquisition of open spaces by the public authority of the Metropolis; and it would be a deplorable thing if the policy which the House came to in passing that Act was to be reversed in detail by Private Bill legislation. Now, the burial ground involved in the present Bill—a disused burial ground—was situate in the parish of St. Pancras, but it belonged to the Trustees of St. James's, Piccadilly. It was situated to the west of Cardington Street, which street skirted the western boundary of the Euston Square Station. The burial ground had been disused for about 30 years. No interments had taken place in it since 1852; but, before that time, it was calculated that about 50,000 bodies were buried there. The London and North-Western Railway Company, wishing to enlarge their Station at Euston, proposed, in the first place, to absorb the street which lay on the west of the Station — Cardington Street—and a small portion of this disused burial ground; but, in order to do this, they would have been obliged to make a new street in the place of the one they absorbed. In point of fact, they proposed to run a new street through the disused burial ground; but, in order to carry out that plan, it was necessary that they should deal with the Trustees of St. James's, Piccadilly. Now, those trustees were in a peculiar position. They had no power to sell except by Act of Parliament; but, without making it a matter of reproach to them, he thought he might say that it was a godsend when the Railway Company came to them proposing to take a portion of this land. In the end, they required the Railway Company to take a very much larger portion than they had asked for originally. The proposal, which came before a Select Committee of the House, was this—that two-thirds of this disused churchyard should be sacrificed, the Trustees obtaining a sum of £15,000 in consideration of the sale. That was the proposal which came before the Committee. The Committee, however, modified it to some extent, and, instead of taking two-thirds of the land, they proposed that only one-half should be taken at the price of £13,000; and they had obliged the Trustees, at the demand of the Metropolitan Board of Works, during the next six months to hand over the other half of the burial ground to be used for recreation and other public purposes, without any further consideration. Now, he was bound to say that, although the conclusion of the Committee had so far some public advantage, yet, on the whole, it appeared to him to be eminently unsatisfactory. He thought the public had a right to a very much larger portion of this open space than was given to it by the Bill as it left the hands of the Committee. The property was a great deal too small, in his opinion, to be treated in this manner. It was only about three acres in extent; and if the whole of it were laid out as a recreation ground, it would be of extreme value to the public; but if only one-half of it was to be laid out in that way, and that half was surrounded by high buildings, the public advantage would be reduced to very small dimensions indeed. The reason why the public were asked to make this sacrifice was that the enlargement of Euston Square Station imperatively required it. But, in the first instance, the London and North-Western Railway Company did not require all the land given to them by the action of the Committee; they only required a small portion—about one-twentieth of it—and it was the Trustees of St. James's, Piccadilly, who put the Railway Company into a position to demand so much larger a portion. It was said that there was no other way of enlarging the Station; but it was a remarkable fact, according to the Minutes of the Committee which he had before him, that it was stated, but not proved in any way whatever before the Committee, although the General Manager and the Engineer of the Railway Company were called—it was simply stated that it was impossible to appropriate the street on the eastern side of the Station. There was no proof whatever in support of that statement. The fact was that land on the eastern side was much more thickly covered with houses than the land on the western side. That was the reason why the Company determined to get hold of the western portion. It was just as easy to divert one street as another, and the street on the eastern portion might just as readily have been diverted as the street on the western portion; and, in that case, no open space would have been sacrificed. The Railway Company, however, would have had to pay more, because they would have been required to take land that was covered with houses instead of land that was not. The purpose for which the land which lay in the west—that part which the Trustees had compelled the Railway Company to take in excess of their original demand — was not connected with the enlargement of the Station at all. The Engineer was asked before the Committee what this land would be used for, and he said—

> "I think it would be used very likely for general purposes; for the storage of omnibuses and other vehicles, that the Company have for their outside traffic; and for the parcels traffic, which we consider will be a very large one very soon."

Later on in his evidence the General Manager, Mr. Findlay, said the land westward of the new street was wanted in connection with the general purposes of the Company in reference to the new Parcels Post arrangements, and in order to carry out an agreement entered into between the Railway Company and the Government, and for providing sufficient stable accommodation for something like 200 horses the Company had at Euston. Now, the provision of storage for omnibuses and accommodation for 200 horses, he ventured to think, was not a purpose for which a large open space in the Metropolis ought to be taken. But he did not feel, in bringing the matter before the House, that it was his business, or even the business of the Committee, to make plans for the enlargement of the Company's Station. It was quite sufficient for his purpose to show that there was land available on all sides, and that the only reason that it was not taken was that it would be more expensive, because it was covered with houses. On the south of the site of this burial ground the Railway Company proposed to take, there was a plot of extremely bad and poor houses, which it would be a great object to the neighbourhood to get rid of altogether, and which would afford ample accommodation both for the storage of omnibuses and the stabling of horses. The position which he and those who were acting with him in the interests of open spaces took in the matter, was, that if the policy of the House, that open space should not be interfered with, was firmly maintained, every private Company, in framing their schemes, would frame them so as to avoid these open spaces. With regard to the public, there would be, according to the conclusion of the Committee, an option given to the Metropolitan Board of Works to take one-half of this land; but the real fact was that the chance of obtaining the whole of it, some time or other, was very considerable. There was no question which had made more progress in that House of late years than the question of open spaces. It had been forced into prominence by the rapid growth of London, and the crowded condition of some of the centres of population in it. The feeling in the district of St. Pancras was very strong indeed upon the matter. The Vestry of St. Pancras opposed the Bill in Committee, as also did the Metropolitan Board of Works, in the interest mainly of the preservation of open spaces. The action of the St. Pancras Vestry was shown by the way in which they had proceeded in other matters of a similar character. They had spent about £7,000 in laying out as a recreation ground the disused burial ground of St. Pancras and St. Giles. Their action had been imitated in other parts of London. He saw that only last week a deputation went up to the Corporation of London to request them to rescind the resolution they had passed, by which a building was to be erected on a disused burial ground in Little Britain. The Corporation, yielding to the feeling of the inhabitants, rescinded their resolution, and had agreed to lay out this land as an open space. He saw, also, that the Metropolitan Board of Works were negotiating with the Vicar of St. Pancras with respect to the disused burial ground adjoining Holy Trinity Church in Gray's Inn Road. He thought it might, therefore, be said that, sooner or later, in the next few years, this land would be used for purposes that were really required, and laid out as a recreation ground for the inhabitants of the district. It was said that in this particular district there was no great need of open spaces, because they had several squares, like Euston Square, Torrington Square, and others; but the House would recollect that those squares, valuable as they were as reservoirs of air, were of no use for purposes of recreation, because they were closed to the public; and, considering the way in which London was being built upon, he thought they would be wise to secure every available open space which remained to them. The Committee, in the Report which they had made to the House, alluded to a Report from Dr. Hoffman, the Inspector under the Burial Acts, and the promoters of the Bill, in the reasons they had circulated, made use of the evidence of Dr. Hoffman in this way. The removal of bodies sanctioned by the Bill applied to some 25,000 in number, and Dr. Hoffman said that this might be done with safety under certain conditions, which conditions the Company accepted. But as regarded the general question, Dr. Hoffman said—

> "The importance of preserving existing open spaces in the midst of a large City cannot, I think, be over-rated, and—except for the sake of undoubted public improvement—disused burial grounds should not be disturbed, but should be turfed, and planted with flowers and shrubs, and permanently kept in good order. In an Act entitled 'The Metropolitan Open Spaces Act, 1881,' the Metropolitan Board of Works (Section 5) have power to deal with disused burial grounds in this very way. In this instance the comparatively large size of the ground renders it still more important that the necessity for the Company's scheme should be carefully considered before any encroachment is permitted."

That Report of Dr. Hoffman was decidedly in the direction of preserving this open space for the benefit of the public. He wished now to say a word as to the position of the Trustees in this matter. The House would bear in mind that this land was absolutely valueless, because the Trustees of St. James's, Piccadilly, had no right to get a single penny for it. Their right to get any money at all simply depended on the power which Parliament gave them. Had it not been for the action of the Railway Company he believed the Trustees would have considered favourably any proposal to hand over this ground to the local authorities for the purpose of preserving it as an open space under the "Open Spaces Act." Without using the word in any offensive way, he might say that the bribe of £13,000 was too much for them; and if the House sanctioned this Bill it was deliberately putting £13,000 into the hands of these Trustees, every penny of which would come to them directly in consequence of the action of the House. He did not think that it was necessary to detain the House much longer, although there were many other points in his case which he might lay before them. He would only say that hon. Members would be struck with the importance of the question when they examined the Returns of the Census which had just been taken. He found there one striking fact, which he would mention to the House, which showed the increase of the town population as compared with the rural. For every 100 persons resident in the country there were in 1861, 165 resident in towns; in 1871, 184; and in 1881, 199. Therefore, the urban population of this country was very nearly double the rural population. There was another fact brought out in striking prominence, as far as the growth of London was concerned. That was that in the beginning of the century, one in ten of the population lived in London; now one in seven lived in London. These facts showed the importance of making the life of the great masses of the people who lived in London as tolerable as possible, and as full of those advantages which they would otherwise get by living in the country. One of the great problems—almost the greatest problem of the age—was how to keep the population resident in London in a decent state as far as their houses were concerned, and how to give them as many of the advantages of fresh air and places for open recreation as possible. That appeared to him to be really one of the problems of the age; but he thought the House would go the wrong way to solve it if it allowed the few remaining open spaces which existed in London to be gradually eaten into and destroyed by Private Bill legislation. He felt that if the House were to sanction the present Bill they would be sanctioning a bargain in which the interests of the public were very much sacrificed for the private interest of a Railway. He, therefore, hoped the House would re-commit the Bill with the Instruction he proposed to move, and which stood in his name upon the Paper.

Amendment proposed, to leave out the words "now considered," in order to add the words "re-committed to the former Committee,"—(*Mr. J. Hollond,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. R. H. PAGET desired to say a word in support of the decision of the Committee, having acted as Chairman of the Committee. He had a profound sympathy with those who desired to preserve open spaces for the benefit and health of the people in this Metropolis. He would even go further, and say that he had a profound sympathy with those who were endeavouring to turn to effect and to lay out these disused burial grounds, which were eyesores in many parts of the Metropolis. He thought the House ought to recognize with gratitude the valuable example set by the Incumbent of the Church of St. George's-in-the-East, by which that burial ground had been turned into an ornamental ground, and was now available for the people generally. But although he laid that down as a general proposition, in which he fully and completely believed, he thought it would be difficult to show, in the special case now under discussion, that the reasonable rights of what he might call the "Open space people" had been imperilled, or that anybody, unless he was suffering from open spaces on the brain, would have a right seriously to oppose the decision arrived at by the Committee. If this were the case of a very thickly populated part of London, without any open spaces whatever, or if it were a case where it was proposed that the land should be sold to a speculative builder to be entirely covered with houses, it would be a very different matter indeed. But what were the circumstances of the case? He held in his hand a map of the district, and a very slight glance at it would show that the locality was by no means deficient in open spaces. He would not enumerate the large number of open spaces that were immediately adjacent to this piece of land. But he would ask any hon. Member to look at the map, and he would at once admit that, *quâ* open spaces, this particular district was not by any means one of which it could be said that it was in want of such spaces. He would call the attention of the House to the grounds which induced the Committee to pass the Bill. The Committee had to deal with the case of an unknown plot of ground, practically inaccessible, in regard to which they were told that the people residing in the neighbourhood might walk or ride down every street and be unaware of its existence, for this reason—that it was only approachable by a foot-path blocked by a gate. The land was of no good to anybody. It was utterly useless. What was the result of the decision of the Committee? It was that an inaccessible spot had, with regard to a greater portion of it, been secured for the benefit of the people as an open space—secured without consideration, and secured in a double way by ample access to it; whereas before it had none. It was proposed to construct a road-way 20 feet wide, and set it aside for access in one direction; and there were also to be two foot-paths on the other side to the church, which were specially provided by the Committee, in order to give access on the other side. When the case came before the Committee first, it was presented to them in quite a different aspect. The first proposition placed before them was that two-thirds, at least, of this ground should be given up to the Railway Company, and only a small portion, amounting to about one-third of it, retained as an open space; and there was no provision whatever in the Bill to secure that even this small portion would be retained as an open space. How was the matter now left by the decision of the Committee? The rights of the public were protected, and this space was given over to them without any consideration. It was all very well to say that perhaps some day or other it might have fallen in; but there was no evidence before the Committee to establish the fact. What the Committee had done by their action was this—to secure for the benefit of the public a larger portion of this burial ground than they would otherwise have had. There were three parties to this transaction—the Railway Company, the public, and the Vestry of St. James; neither of them had got all they wanted. The Railway Company had not got what they wanted, but much less than they asked for. Those persons who were interested in the preservation of open spaces had not got all that they wanted, nor had the Vestry. The Committee, after hearing all the evidence, and being in full possession of all the information upon the subject, deliberately came to the conclusion that the method adopted was the best way of settling the question. The hon. and learned Member for Brighton (Mr. Hollond) called attention to the fact that it was stated, but not proved, that this land was required by the Railway Company. But when the fact was stated, and it was not denied, when it was deliberately stated, and, although the Bill was actively opposed, none of the opponents attempted to cross-examine upon that statement, it might fairly be assumed that it formed unimpeachable evidence to which the Committee were bound to attach importance. What was the case in this question? It was admitted that there was a necessity for the Railway Company to enlarge their Station, and it was stated, but not challenged, that they could not enlarge it in any other way.

MR. J. HOLLOND remarked that what he had said was that it was not stated, and was not proved, that the Railway Station could not be enlarged in any other way.

MR. R. H. PAGET said, that was a point to which the evidence was directed. The Company said—"We cannot enlarge our Station by going the other way," and they gave their reasons; and when the Committee had the matter so stated, and no question whatever was asked by the opponents of the Bill, they had a right to form a conclusion, from the absence of cross-examination, that it was the fact. Assuming that the Committee were right in that matter—and he ventured to assert that they were—if the Railway Company proved the necessity for enlarging the Station; that they could only go in this direction; that they must take a portion of this land; and that also, for the making of their new street, they must take a larger portion than was actually required for the enlargement of the Station; then, so far as the question of principle went, he contended that the Committee had ample evidence to satisfy them that they did right in sanctioning these arrangements. He hoped the House would not be induced to impugn the decision of the Committee, unless it could be shown that the Committee had passed over a question that was of importance in a light and insufficient manner. No doubt, the House had the power of reviewing any decision of a Committee; but where a Committee had had before them ample evidence, and had had that evidence thoroughly sifted, and every question fairly brought before them, and when, after giving to it ample consideration, the Committee had made up their minds as to the right way of dealing with the matter at issue, he ventured to say that the House ought to be very jealous indeed before it consented to reverse their decision. He hoped the House would see the necessity of standing by the decision of the Committee.

MR. CROPPER said, he should like to say one or two words on the subject before the House. As a general principle he most thoroughly agreed with the views expressed by the hon. and learned Member for Brighton (Mr. Hollond) as to the preservation of open spaces in the Metropolis. At the same time, he was of opinion that several forcible arguments might be adduced on the other side, before the House came to a decision to reverse the action of the Committee. In the first place, it was not to be supposed that a Committee of Gentlemen, chosen by the House, had gone through all the evidence, and arrived at a decision, without having some grounds for doing so, and without having considered in some degree the questions brought before it. The hon. and learned Member for Brighton had stated, in the first place, that the Railway Company could easily get land in the other direction, in Seymour Street, and that they had only taken this land because they wanted a bargain. Then, again, it was stated that the Trustees of the property had been parties to a job in connection with it. It was further asserted that the place was needed as a breathing place in that part of the town, on account of the crowded nature of the streets. In regard to the first assertion, he would merely say that it was next to impossible to widen the Euston Square Station on the Seymour Street side, while Cardington Street, on the other side of the Station, was comparatively little used, and by the plan now proposed the street would be carried in a straight line, instead of running in a crooked direction. In regard to the action of the Trustees, they would gain nothing by the transaction for themselves; because, if this land were sold to the Railway Company, the money they received for it was to be laid out in Westminster for some public improvements there. With regard to the breathing place which this old churchyard afforded to the people, such breathing places, while valuable in densly-crowded parts of London, were not essential to the health and happiness of the people in the neighbourhood. As a general rule, the houses around Euston Square, as the House would know from experience, were not of the smallest or poorest description. About 60 houses were to be pulled down along the side of Cardington Street, but most of them were three-storey houses, worth £30 or £40 a-year, and they were not to be compared with the rookeries which existed in the East End and some other parts of the Metropolis. Nor would any property of that character be affected by the proposed alteration or the removal of this disused churchyard. Even in regard to the churchyard itself, it seemed to have been for many years—at least 30 years—a place which was simply without use to anybody. The yards and back windows of a line of a number of second-rate houses looked into it, and the only persons who seemed to have got much advantage from the aspect were the inmates of the Temperance Hospital, which the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) opened some years ago. If the proposed alterations were effected these persons would be able to look out upon a pleasant recreation ground, instead of a disused graveyard, so that instead of being injured they would be positively better off. As far as the general public were concerned, a play-ground of an acre and a-half would be of much more advantage to them than the present condition of this piece of land; and he believed it was intended to devote this disused burial ground to purposes that would be for the advantage of the people residing in the neighbourhood.

One word as to the question of public advantage. His hon. Friend had quoted a Report of Dr. Hoffman, the Medical Inspector connected with the Burial Acts Office, in which that Gentleman stated that schemes of this nature should never be carried out unless some public advantage was to be secured. Surely it was a public advantage to widen the access to the Metropolis, and to give to those who passed up and down—principally the travelling public who went to Euston Square Station—a better means of getting to the trains, and in other ways of conferring upon them additional advantages. He did not suppose that the Railway Company were very keen about incurring the large outlay that was involved in the enlargement of their Station, and they entirely objected to be put to any further expense. Certainly, they would not incur the expense that would be necessary if they were obliged to go to the other side of the Station; and, therefore, he believed the public would be the gainers by having the Station enlarged in this direction, while the immediate neighbourhood, as far as he saw, would lose very little. Therefore, feeling, as he did, that there was really not as much to be said in favour of this disused burial ground as there might be in favour of retaining similar open spaces in other parts of the Metropolis, and feeling, as he always did, that great respect should be paid by the House to the decisions of its Select Committees after thoroughly investigating the subjects submitted to them, he was bound to say that he should go into the Lobby against the Amendment of his hon. and learned Friend the Member for Brighton.

Mr. SHAW LEFEVRE said, he could not agree with the views expressed by either of the two last speakers. He had on several occasions in the last few years found it necessary to remind the House that if they pursued the policy they were now asked to adopt, the question of preserving open spaces in the Metropolis would make very little progress, and he had more than once asked the House to reject the decision of their Select Committees. For his own part, he thought that good was done sometimes by the House taking a matter into their own hands, and laying down principles for the guidance of Select Committees; and he certainly thought that this was a case in which they might take that course with advantage. The difficulty in this case was that the disused burial ground did not belong to the parish in which it was situated—namely, St. Pancras. If it had belonged to St. Pancras, this transaction would never have taken place; because that parish would have done what it had already done with regard to its own disused burial ground—namely. have laid it out as a recreation ground for the purposes of the public. But this disused burial ground belonged to the Trustees of the remote parish of St. James's, Westminster, which was not interested in keeping this ground open as a recreation ground for its own residents, but was far more interested in obtaining a large sum of money by way of compensation from the Railway Company. Quite apart from the question of recreation grounds, there were good reasons why this appropriation should not be made. It was proposed, in this instance, that the Railway Company should acquire the property not entirely for a Railway Station, but for other purposes. They took a large portion of the burial ground, and would have to remove thousands of corpses to other parts of the country. He fully admitted that there were cases in which it was desirable to interfere with burial grounds for mundane purposes. If there were no other possible means of enabling the Railway to come into a district it might be desirable; but, as a general rule, it was not desirable that a transaction of this nature should be carried out. There was something shocking to humanity, and almost offensive to decency, in carting these dead bodies from a burial ground and interring them in some other place. Moreover, it was an offence to the Common Law to take up the bodies of dead people and mix their bones together; and it could not be carried out without rendering the person who did it liable to prosecution by Common Law.

Mr. R. H. PAGET said, with regard to that point, the Committee had satisfied themselves that the regulations of the Home Office would be fully complied with.

Mr. SHAW LEFEVRE said, he was of opinion that it would be very difficult, if not impossible, to carry out the regulations of the Home Office. When they undertook to cart away several thousand corpses they could not do it in a proper manner, so as to observe the regulations of the Home Office, or to observe the law. He therefore said that, even apart from the question of open spaces, it was not desirable that these appropriations of burial grounds should be carried out, except in cases of urgent public necessity. In reference to the observations which had been made by the hon. Member opposite (Mr. R. H. Paget), he admitted that a good case had been made out by the Railway Company for acquiring a small corner of the burial ground. He thought it was desirable that they should have a small portion for the purposes of their Station. He thought his hon. and learned Friend the Member for Brighton (Mr. Hollond) would be willing to concede that much; but with regard to the greater portion of the ground which they proposed to take, the Railway Company had made out no case whatever. He was of opinion that it ought to be left as an open space, and as an open space he had no doubt that before long it would be thrown open to the public for purposes of recreation. Therefore, on those grounds, he should support the Amendment of his hon. and learned Friend the Member for Brighton.

**Mr. PLUNKET** trusted the House would allow him to say a few words, after what he might call the extraordinary speech which had been made by the right hon. Gentlemen the First Commissioner of Works. The right hon. Gentleman, in the last part of his speech, said he was in favour of giving up a small portion of this ground to the Railway Company for the purposes of their Station; but as the right hon. Gentleman had also declared his intention of supporting the Amendment moved by the hon. and learned Member for Brighton (Mr. Hollond), it would be impossible to do so if that Amendment were carried, because the hon. Member proposed to refer back the Bill to the Committee, with Instructions to them to strike out the provisions which authorized the appropriation by the Railway Company of a considerable portion of this disused burial ground. Before the First Commissioner of Works consented to vote in favour of this Amendment, he ought at least to have taken the pains to consider what effect the Amendment would have.

**Sir CHARLES W. DILKE** said, the question before the House was the recommittal of the Bill.

**Mr. PLUNKET** said, he had understood the hon. and learned Member for Brighton to move the Amendment which stood in his name on the Paper.

**The DEPUTY SPEAKER (Sir Arthur Otway)**: The question before the House is that the Bill be now considered. The hon. and learned Member for Brighton (Mr. Hollond) moves that Motion in order to insert the words—

> "That it be an Instruction to the Committee to strike out the provisions which authorise the appropriation by the Railway Company of a considerable portion of the disused burial ground situate in the parish of St. Pancras, and belonging to the parish of St. James's, Westminster, in order that this open space be not encroached upon or diminished."

**Mr. PLUNKET** said, he certainly had understood the Mover of the Amendment to propose the Instruction which stood on the Paper; but, if he was wrong as to that, he apologized to the right hon. Gentleman the First Commissioner of Works for having fallen into an error. He would now say a word or two upon the arguments which the right hon. Gentleman had brought forward. In the first place, the right hon. Gentleman said that it would be a very good thing in certain cases, when any kind of special reason could be given, to refer Bills back to the Committee which originally decided upon them. Now, he (Mr. Plunket) contended that no more dangerous advice could be given to the House, especially in a case where a good deal of sentiment and a good deal of public feeling was easily excited. Such questions could not be adequately or properly discussed in that House in the short space of time devoted to the debating of a Private Bill, particularly where the public feeling might be worked up in order to create a prejudice. It was only before a Select Committee that such questions could be advantageously considered and thoroughly thrashed out. The First Commissioner of Works had not relied very much, in opposing the Bill, upon the argument that the burial ground was required as an open space for the public. That argument the right hon. Gentleman scarcely mentioned; but he fell back, as the main part of his contention, upon the general sentiment of removing the bodies of persons who had been interred in an old graveyard.

Surely the First Commissioner of Works ought to have remembered that it would have been impossible to carry out any of the improvements in old graveyards which had been dedicated to the service of the public, unless such things as he now condemned had been done. If the rules of the Home Office, which had been framed for the special purpose of dealing with the matter, could not be carried out, surely it was not for one Member of the Government to put himself in direct antagonism with another, and attempt to influence the House with such arguments as those which had been put forward. He (Mr. Plunket) would not trespass further on the House on that part of the question, because it was plain that when the law had laid down certain regulations under which the removal of bodies from these old graveyards might be carried out, when a Railway Company, as in this instance, undertook to comply with the requirements of the law to the entire satisfaction of the authorities of the Home Office, it was not fair to press the House to decide the question in the arbitrary manner now proposed. He had one word to say in behalf of the action of the Railway Company, of which he had the honour to be a Director. What was the charge made against the Company by the hon. and learned Member for Brighton (Mr. Hollond)? The hon. and learned Member said the Company insisted on taking this graveyard simply because they did not want to pay for property in a more expensive part of the locality. He (Mr. Plunket) said that that was a perfectly gratuitous, unfounded, and unjustifiable charge to make. As had been stated by the Chairman of the Committee which fully investigated all these matters, the Bill was hotly opposed throughout by various persons who were interested in the matter. It was opposed by the Vestry of St. Pancras, by those who represented the Society for the Preservation of Open Spaces, and there was a full and long investigation into all this question; but not one word was said upon this particular subject. The statement put forward on the part of the Railway Company was not challenged, and it was unfair to come to the House now and charge the Company with designing to take this burial ground because they would not incur more expense elsewhere. The simple reason the Railway Company desired to take this land was that on the east side of the Station there was a long, and straight, and important thoroughfare, which it would be absurd for any Committee of the House to interfere with, especially when they could obtain property which did not involve such an interference with the public rights on the other side of the Station. He would explain to the House how the matter would stand if the present Bill were carried, and if it were not carried. If the Bill were not carried, this old graveyard would remain as it was now—a dingy, useless, and unsightly place, which the public had no access to at present, and which they could not use. The Vestry of St. Pancras was not prepared to buy it from the Trustees, whose property it was; and the Trustees were not prepared to part with it unless they were paid for it; and there it would remain, as far as the philanthropists of St. Pancras were concerned, for ever an unsightly place, utterly useless to the public, because from it every member of the public was absolutely excluded. But if this Bill were carried, and this terrible Railway Company were allowed to have its way, one part of this old burial ground would be handed over to the Metropolitan Board of Works, in order that they might beautify it, or deal with it in any way they pleased. It would be made accessible to the public, and the Metropolitan Board of Works would lay it out and provide the means by which the public could approach it, and every bit of the work would be done, not at the expense of the philanthropists, or of the Vestry of St. Pancras, but with the £13,000 which the London and North-Western Railway Company would have to pay for the whole of the property, one-half of which they would be required to hand over to the Metropolitan Board of Works for the purpose of having it converted into a place of recreation for the public. He had only one word more to say. He contended that it was impossible to sustain the arguments against the Bill, either on the ground of the desecration of this graveyard, or on the ground that it was necessary to maintain it as a recreation ground. There was no recreation ground there at present, or any approach to it, which could enable the public to use it as a recreation ground. It was said that they would be diminishing the breathing places in that neighbourhood. Now he asserted most positively that if he believed the proposals contained in the Bill would really be injurious to the health of the neighbourhood, and that they would seriously reduce the breathing places in a crowded locality—where there were at present no other breathing places—he would not be there that day to support the measure. But it was proved before the Committee, as plainly as anything could be proved, that this particular district was one of the best ventilated localities in the whole of London. It was surrounded on every side by squares and open spaces, and it was within half-a-mile of Regent's Park. It was, therefore, quite absurd to speak of this locality as a great crowded neighbourhood, unhealthy and densely populated, such as could be found in the East End, and elsewhere in the Metropolis. It was nothing of the kind. On the contrary, it was one of the best situated localities in the whole of London, as regarded breathing places, and as regarded recreation grounds. He had already shown that the imputation contained in the sentiment that the Bill involved an interference with, and a desecration of, the sanctity of the dead could not be maintained; and for these reasons he hoped the House would reject the Amendment.

Sir CHARLES W. DILKE said, he would not detain the House for more than a few minutes; but two or three observations had fallen from his right hon. and learned Friend opposite (Mr. Plunket) which required that he should say a word in reply. The right hon. and learned Gentleman had spoken on behalf of the Railway Company of which he frankly admitted he was a Director. He made no charge against the right hon. and learned Gentleman on that account; but he had been under the impression, in the first instance, that the right hon. and learned Gentleman was speaking as a Member of the Committee. He understood the right hon. and learned Gentleman to accuse the First Commissioner of Works of having gone against the opinion of Dr. Hoffman. He assured his right hon. and learned Friend that that was not the case. With regard to the latter part of the remarks of his right hon. and learned Friend, in which he said that if the Bill was not passed the graveyard would remain disused, and would continue to be an unsightly, disagreeable, and unpleasant spot, and that it could not be used for the purposes of public recreation, he would only point out that if the suggestion of the First Commissioner of Works were adopted, or that of the Metropolitan Board of Works, which was nearly the same—namely, to give the Railway Company the small portion of the land which they really required, by far the most considerable portion of the ground could then be utilized for public purposes. As to what the right hon. and learned Gentleman said in regard to the action of the Home Office in the matter, he would call attention to the Report made by the Medical Inspector in reference to this very Bill. In that Report, Dr. Hoffman stated that the Metropolitan Board of Works had made certain suggestions, and he denied that there was a public necessity for the powers sought by the Railway Company. The Report went on to say—

> "The importance of preserving existing open spaces in the midst of a large City, cannot, I think, be over-rated, and—except for the sake of undoubted public improvement—disused burial grounds should not be disturbed, but should be turfed, and planted with flowers and shrubs, and permanently kept in good order. In an Act entitled 'The Metropolitan Open Spaces Act, 1881,' the Metropolitan Board of Works (Section 5) have power to deal with disused burial grounds in this very way. In this instance, the comparatively large size of the ground renders it still more important that the necessity for the Company's scheme should be carefully considered before any extensive encroachment is permitted."

He made use of the word "extensive" after the proposal of the Metropolitan Board of Works that only a small portion of the burial ground should be taken. The Report went on to say—

> "How far the proposed extension of the Eastern Station will be for the public benefit, I do not feel competent to offer an opinion."

Mr. R. H. PAGET asked the right hon. Gentleman to forgive him for stating that that Report related to the original scheme put before the Committee, by which it was proposed that only a small portion of the burial ground should be preserved as an open space. The decision of the Committee had entirely altered the conditions of the cost.

Sir CHARLES W. DILKE said, the argument applied exactly to the question before the House. The medical officer said that he could not offer an opinion as to the necessity of the proposed extension, and then he went on to say—

> "As far as the actual work of removal is concerned, I see no reason why—proper precautions being taken under skilled supervision—the work should not be carried out, as in many other similar cases, without danger to public health or outrage to public decency."

This Report was presented in the interests of the public health, pure and simple. The Committee applied to the Home Office for a copy of this Report, and when a copy was sent by the Home Office it was accompanied by a statement of the Secretary of State that he was not to be understood to offer any approval of the Bill, because he was of opinion that the removal of these bodies might be accompanied by public danger. There was, therefore, no conflict between the Chief Commissioner of Works and the Home Office.

MR. PLUNKET remarked, that the Home Office gave no contradiction to the statement of facts upon which the Report was based.

SIR CHARLES W. DILKE said, the Home Office had done nothing to contravene the argument of the Chief Commissioner of Works, that a grevious injury might be occasioned by the removal of these dead bodies. The argument of his right hon. Friend the Chief Commissioner was that the removal of the remains of the 20,000 or 25,000 persons who had been buried there prior to the year 1853 might be a source of public danger and injury.

MR. W. H. JAMES said, that although the House might accept the assurance of the right hon. and learned Member for the University of Dublin (Mr. Plunket) that the Railway Company had no wish to interfere with the health of the people of the Metropolis, they would probably, to some extent, discount that observation when they bore in mind that the right hon. and learned Gentleman was himself a Director of the London and North-Western Railway Company. He (Mr. James) knew that the House regarded with considerable jealousy any proposal to reverse a decision already arrived at by one of their Committees. He was quite sure that the Committee had devoted careful consideration to the matter according to their lights, and that they were anxious to do their duty; but he regretted that the Members of the Committee had not visited the spot themselves. They might easily have gone down; it would not have taken them more than an hour or an hour and a-half. He must say that the Committees of that House ought to be closely watched, because the questions submitted to them were not altogether in the hands of the Committee, but in the hands of certain eminent counsel, who, by able and clever speeches, were able to put forward questions as matters of sentiment which were not really matters of sentiment, but rather questions of money. That was the case in this instance. If the Railway Company chose to go elsewhere and pay for it, there was ample land available for them for the purpose of enlarging their Station. In this case the Trustees had given to the Company not only all they wanted for themselves, but had required them to come to terms in regard to the whole of the property, because the Trustees were anxious to get rid of the property, and, instead of devoting the money to the benefit of the parish of St. Pancras, they intended to devote it to purposes of their own. He thought the House ought to be careful in these matters how they introduced the thin end of the wedge, and he was satisfied that this was the thin end of the wedge. Open spaces in the Metropolis were extremely few and far between; and he himself, and those who acted with him in the matter, intended to propose, as soon as possible, that some Standing Order of the House should be passed to prevent Railway Companies and other bodies from encroaching on the public rights. At present, by means of Private Bill legislation, Railway and other Companies were acquiring property which was believed to be absolutely essential to the health and welfare of the people of the Metropolis, without paying for it, and without giving a sufficient *quid pro quo* to the public.

MR. W. LOWTHER said, the right hon. Gentleman the President of the Local Government Board recommended that this ground should be converted into a recreation ground for the use of the public. The right hon. Gentleman further said that the ground had been used for burial purposes down to the year 1853.

Sir CHARLES W. DILKE remarked that it had not been used for such purposes since the year 1853.

Mr. W. LOWTHER said, the right hon. Gentleman supported the view of the Chief Commissioner of Works, that the feelings of a great many persons would be outraged by having the bodies of their friends removed from this burial ground to any other burial ground, although the duty would be discharged in proper form, and conducted with due regard to public decency and health. He should like to know what would be the feeling of those persons who had interred their relatives and friends in this ground, if they found that the graveyard was to be thrown into a recreation ground, and foot-ball and cricket, and every other kind of game, played upon it? He presumed that if it was conconverted into a recreation ground, it might be used for those and various other purposes.

Mr. STANTON, as a Member of the Committee, asked the House to support the decision which the Committee unanimously came to on this matter. There was a very full and careful inquiry, and he thought the House would adopt a very bad precedent if it now consented to reverse the decision of the Committee. His hon. Friend the Member for Gateshead (Mr. W. H. James) said the Committee had not visited the spot. Now, he (Mr. Stanton) had himself visited the spot.

Mr. W. H. JAMES asked if his hon. Friend had visited the spot before the Committee came to their decision?

Mr. STANTON said he had not, but he had visited it since; and if he wanted anything to justify the decision arrived at by the Committee it was that visit. He thought the hon. and learned Member for Brighton (Mr. Hollond) was altogether wrong in asking the House to reject the decision of the Committee. He (Mr. Stanton) was not a Director of a Railway Company; but he was prepared to say that this was not a question of doing harm to anybody. It was not a question as to whether the lungs of London required expansion; because it was well known that there were a considerable number of open spaces within a quarter or half-a-mile of this burial ground, while within half-a-mile of it was Regent's Park. Therefore, as far as open areas were concerned, there were more in this particular locality than in any other part of London, and upon that score no case had been made out for the reversal of the decision of the Committee. It was absolutely essential for the conduct of the business of the London and North-Western Railway, that the Company should have power to enlarge their Euston Square Station. It was not possible to enlarge the Station in any other direction; and, whatever hon. Members might say as to the property on the east side of the Station, it was impossible for the Company to enlarge their Station, either on the east or south. The west was the only direction in which could be enlarged; and considering the great good the Railway Company had done in providing for the necessities of the Metropolis, he thought they ought to receive some consideration at the hands of the House. They were bound to enlarge their Station, and this was the only direction in which it could be done. He therefore hoped the House would confirm the decision come to by the Committee, after great attention, after careful inquiry, and after taking great pains in the matter, their decision being that the proposals of the Railway Company would do no harm to anybody, but would benefit the whole of the Metropolis.

Mr. BERESFORD HOPE said, that his hon. Friend the Member for Mid Somerset (Mr. R. H. Paget) seemed to imagine that a recreation ground could only be a place for playing foot-ball on. It might be a garden like that which had lately been made round St. Paul's.

Mr. D. GRANT said, the Bill related to the immediate neighbourhood of St. Pancras. He might say that they had come to a unanimous decision not only to oppose the Bill as they had done, but to oppose it in the House of Lords, if it went there. They knew the condition in which the locality was placed, and they knew the necessity of opposing the Bill, and of taking the care they had taken, and were prepared to take in future, to preserve this churchyard as an open space. He would only say, in reply to a remark which had been made once or twice in the course of the debate, as to the character of the property in the neighbourhood, and the large and wealthy description of the houses erected there, that the neighbourhood was inhabited by a working class population, and occupied by very small houses, and it was of the utmost importance to provide recreation ground for them in the immediate locality. He thought the suggestion made by the First Commissioner of Works would meet the necessities of the case; because it would not only secure what was required for the needs of the population, but it would give the Railway Company what they originally asked for.

Question put.

The House *divided*:—Ayes 178; Noes 167: Majority 11.—(Div. List No. 77.)

Main Question put, and *agreed to*.

Bill *considered;* Clause *added;* Amendments made; Bill to be read the third time.

## *QUESTIONS.*

### THE ROYAL IRISH CONSTABULARY—THE OFFICERS—SURPLUS OF SPECIAL GRANT.

LORD ARTHUR HILL asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether of the £180,000 voted by Parliament last Session to the Royal Irish Constabulary for extra work and labour in connection with the recent agitations in Ireland, there is a balance of upwards of £20,000 in the hands of the Castle authorities; whether all ranks under that of sub-inspector received three months' pay; whether the Dublin Metropolitan Police of all ranks have been recompensed to a similar extent, whilst the officers of the Royal Irish Constabulary have received nothing; whether it is a fact that the officers of the Royal Irish Constabulary memorialized the Government in connection with the distribution of the said balance; whether the case as stated by them was strongly recommended by the Inspector General for the favourable consideration of the Executive; whether this application was refused; and, whether he is aware of any reason why the officers of the Royal Irish Constabulary should be separated from their men in participation in a reward granted for extra duties in which all shared?

MR. TREVELYAN: The facts are as stated in the noble Lord's Question. It was never intended that the officers of the Constabulary Force should share in this grant, the main object of which was, as the House is aware, to recoup to the men expenses which they had been actually out of pocket owing to the insufficiency of their allowances to meet certain exceptional charges, which fell specially upon them. The fact that an over-estimate was made of the amount required is no sufficient reason why the Government should expend the unexhausted balance for a purpose for which it was not intended when Parliament was asked to vote it. With regard to the distribution of the sum voted for the Dublin Metropolitan Police, it must be remembered that the position of the Superintendents of that Force was not considered to be analogous to that of the Sub-Inspectors of Constabulary. The whole of the Superintendents are appointed from the ranks, and the Dublin Metropolitan Police are in this respect homogeneous from the Sub-Commissioner downwards. The Government consider that the legitimate claims of the Constabulary officers were met by the legislation—the rather large legislation I must say—of last year.

### CHILI AND PERU—THE WAR—CONVENTION FOR SETTLEMENT OF CLAIMS OF BRITISH SUBJECTS.

DR. CAMERON asked the Under Secretary of State for Foreign Affairs, Whether it is true that a Convention has been ratified between Great Britain and Chili for the settlement of British claims arising out of the war between Chili and Peru; if so, whether the Convention allows Chili four years for the settlement of claims, many of them already four years old, makes no provision for the payment of interest, and draws no distinction between claims arising from the operations of war, and those for which the Chilians have received full value; and, whether he has any objection to lay before Parliament Papers relating to the subject?

LORD EDMOND FITZMAURICE: The Convention, which was signed on the 4th of January, has already been presented to Parliament, and will be found by the hon. Member in the Parliamentary Paper "Chili" No. 1, 1883, which was distributed to hon. Members on the 12th ultimo. The Convention provides for the settlement, by a Mixed International Commission, of all claims arising out of the war between Chili and Peru and Bolivia, which had, up to the date of its signature, been put forward by British subjects. Her Majesty's ratification was sent out on the 1st ultimo.

### UNION RATING (IRELAND)—LEGISLATION.

Mr. MARUM asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, in view of the Poor Relief (Ireland) Bill disclosing the inability of certain Unions in Ireland to provide necessary funds for the relief of the destitute poor in such Unions, thus exhibiting that the present areas of Unions, unless amalgamated or otherwise re-cast, are inadequate as bases of Poor Law taxation, he will persevere in his intention to ask leave to introduce a Union Rating Bill, especially as the Boards of Guardians of the Unions, numbering 163, throughout Ireland, are opposed to such principle of legislation?

Mr. TREVELYAN: The figures furnished by the Local Government Board for the purposes of the Poor Relief (Ireland) Bill indicate that in two, or perhaps three Unions, the pressure of taxation is unduly heavy in all the electoral divisions of the Union. But in a considerable number of distressed Unions the pressure is not general throughout the Union, but is local, and confined to certain electoral divisions. The conclusion which I arrive at from these facts is that the argument in favour of Union rating is considerably strengthened by our experience of the present distress. I think that a proposal to amalgamate or otherwise re-cast the existing Unions would not be well received in Ireland, and I cannot see that any necessity for it has been made out. I shall, of course, pay great attention to any representations which the Boards of Guardians make upon the subject of the Union Rating Bill which I propose to introduce.

### EGYPT (RE-ORGANIZATION).

Mr. MOLLOY asked the Under Secretary of State for Foreign Affairs, Whether he has any reason to doubt the accuracy of Mr. Villiers Stuart's statement given in Egypt, No. 7, 1883, pages 2 and 8, that we have "brought back the usurers" to Egypt, and "constitute the shield beneath the protection of which they are now engaged in dispossessing the Natives of their land;" whether he has observed that Mr. Villiers Stuart was informed by the Natives that "Arabi drove out these pauperisers of the people, but we have brought them back by force of arms;" and, if these statements be substantially correct, whether Her Majesty's Government intend to maintain our troops in Egypt for the protection of the usurers mentioned by Mr. Villiers Stuart?

Lord EDMOND FITZMAURICE: If the hon. Member will refer to Lord Dufferin's despatch, "Egypt" No. 6, page 60, he will find His Excellency's views on the subject of usury in Egypt and the indebtedness of the Fellaheen. The British troops were sent to Egypt, as has been already frequently explained, to put down anarchy, and they are not maintained in the country to protect the system alluded by the hon. Member.

Mr. VILLIERS STUART asked to be allowed to say a few words in explanation. Quotations, he might observe, were often misleading, and, in the present case, the quotations of the hon. Member for King's County were not absolutely exact. The tenour of the article to which the hon. Member referred was that responsibility rested on us to do our best to remedy the evil complained of, and that we must not retire prematurely from the task which we had undertaken.

Sir WILFRID LAWSON: May I ask if it is true, as reported in the newspapers to-day, that the Khedive has signed the new Egyptian Constitution; and, if so, will it be laid on the Table of the House?

Lord EDMOND FITZMAURICE: I must ask that Notice be given of the Question.

### IRELAND—STATE-AIDED EMIGRATION.

Mr. ARTHUR O'CONNOR asked the First Lord of the Treasury, Whether his attention has been called to the following passage in the report of Mr. Phipps, Her Majesty's Consul General at Pesth (Commercial, C. 3,552, p. 257)—

> "A subject in connection with agriculture which remains to be referred to is the excessive emigration from Hungary of late years. In 1881 the number of emigrants, principally from the northern provinces, was no less than 11,000. In the same year a sum of 500,000 florins was

sent back to the mother country by Hungarian emigrants in America, a fact calculated to extend the movement. A Government Commission has therefore been deliberating as to the means for arresting a movement so injurious to the progress of an agricultural country, and to its taxpaying capacity. One of the principal measures adopted, and likely to be promoted on a large scale, is the encouragement by Government of the colonisation of State land, especially by the inhabitants of the less productive provinces, or of those which have suffered by the contantly recurring inundations. These colonists will be endowed with schools and churches gratis; they will receive land from the State by paying merely an amortisation quota on its own cost, and will for fifteen years be exonerated from the payment of taxes;"

whether he is aware that the emigration from Ireland in the year 1881 was 78,417, or seven times as great as that from Hungary, though the population was only one-third of that of Hungary; and, whether the Government will consider the desirability of arresting the movement by encouraging the colonisation by the inhabitants of the less productive districts, of lands to be acquired by the State and transferred to the colonists on payment, within a statutory term of fifteen years, of an amortisation quota?

MR. GLADSTONE: I believe the citation and the statement of facts in the first two paragraphs of this Question are correctly given. In answer to the Question contained in the last paragraph, I have to say that the State has shown every disposition to encourage what is termed migration upon principles which are economically sound by offering the premium or facility which is afforded by loans of public money at low rates of interest. But I am not prepared to say that we can propose a plan for the acquisition of land by the State in order to transfer it in the manner suggested by the hon. Member.

MR. T. P. O'CONNOR said, he should like to ask the Chief Secretary for Ireland a Question arising out of the Prime Minister's answer. It was, whether he had noticed in the Irish newspapers complaint of a want of labourers in some parts of Ireland in consequence of the excessive emigration encouraged by the Government? He wished to ask the right hon. Gentleman particularly with regard to the town of Galway, which he (Mr. T. P. O'Connor) represented, and from which he had received more than one complaint, that it was impossible to get labourers there.

MR. TREVELYAN: I have not noticed those complaints; but I had it brought to my knowledge by private persons, and likewise by paragraphs in the newspapers, that in some of the districts where it is said there is great distress labour is scarce, and the people are exceptionally well paid.

MR. T. P. O'CONNOR: The Chief Secretary says he has received representations from certain districts, to the effect that labour is scarce where it is said distress existed. Now, as this assertion impugns the statement of several leading ecclesiastics and laymen in Galway, I think the right hon. Gentleman should be more precise as to the districts in which labour is highly paid, and in which distress exists notwithstanding.

MR. TREVELYAN: With regard to Galway I have not heard, that I remember, any special intimation with regard to the districts from which emigration is now being conducted (I should say the congested districts). I have not had, generally speaking, any information on this point; but I should say there is nothing but great distress in those districts. It is the case that in some districts, which I should be unwilling to specify without looking at the newspaper paragraphs, but at all events in three districts I have seen it stated in the newspapers and in private letters, that, though it was said there was considerable distress, labour was in demand, and was, for that part of the country, very well paid.

MR. O'BRIEN: As the reply of the right hon. Gentleman may have very serious effects in stopping the subscriptions which have been keeping the people alive in Ireland, may I ask him whether his observations apply to those districts in Donegal from which appeals are now being made for aid for the people?

MR. TREVELYAN: The districts of which I have had account were certainly none of them north of Mayo.

## LORDS ALCESTER'S AND WOLSELEY'S ANNUITY BILLS.

MR. STEWART MACLIVER asked the First Lord of the Treasury, If it is intended to maintain, in their present shape, the Annuity Bills relating to Lords Alcester and Wolseley; or, whether the proposed payment of sums representing the actuarial value of the two beneficiaries lives cannot be adopted?

Mr. GLADSTONE: Her Majesty's Government, having considered all the circumstances of the case with as much care as they can give to any question, propose to alter the basis of the Bills that they have introduced with respect to Lord Alcester and Lord Wolseley. Their plan will be based upon what has been termed the principle of the lump sum. I hope to explain the particulars on a very early day.

## PARLIAMENT — BUSINESS OF THE HOUSE—PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.

Sir R. ASSHETON CROSS asked the First Lord of the Treasury, Whether the Parliamentary Elections (Corrupt and Illegal Practices) Bill is not still the next Government measure to be brought forward?

Mr. GLADSTONE: I am afraid I am not able to say anything at this moment with respect to this measure, or other impending measures, until we have closed the debate on which we are at present engaged.

## PARLIAMENT — BUSINESS OF THE HOUSE—THE WHITSUN HOLIDAYS —THE CUBAN REFUGEES.

Sir R. ASSHETON CROSS asked the First Lord of the Treasury, How soon he will be able to fulfil his promise of affording an opportunity of discussing the question of the Cuban Refugees?

Mr. ARTHUR ARNOLD wished to know whether anything but injury to those concerned could result from the proposed discussion, and whether it ought to be held?

Mr. GLADSTONE: With regard to that, it is not a matter that is left to me to decide. When an hon. Member gives Notice of his intention to raise a certain question, the only interference that can be made on the part of the Government is when they anticipate injury to the public interest from the discussion. The right hon. Gentleman was good enough to waive an opportunity which he obtained some time ago for raising the question, the understanding being that another opportunity should be given him. It is, therefore, my business to redeem that pledge, and I propose to do so when I move the adjournment of the House for the Whitsuntide Vacation. That brings me to the question which I have promised to give an answer to-day. We are somewhat divided in mind as to our duty in respect to the amount of Vacation, considering the great pressure of Business. But, on the other hand, there is no precedent for passing through a Session without giving to the House, either at Easter or Whitsuntide, a Vacation of something more than one week. Therefore, I shall move on Friday, the 11th, that the House, at its rising, do adjourn until Monday, the 21st. The Motion on the 11th will be made at 2 o'clock, and the right hon. Gentleman (Sir R. Assheton Cross) will then have the opportunity which he desires.

## PARLIAMENTARY OATHS ACT (1866) AMENDMENT BILL—PETITIONS.

Mr. LABOUCHERE asked the First Lord of the Treasury, Whether he will consent to the appointment of a Committee of Inquiry to investigate the manner in which it is alleged that signatures against the Parliamentary Oaths Act (1866) Amendment Bill have been obtained from children of tender age by paid canvassers and others?

Mr. GLADSTONE: I am without any particulars on this subject, and I do not see any Notice of Motion in relation to it. This is a matter that ought to have been brought under the consideration of the House; but, not being in possession of the information, I do not see how I can give an answer to the Question.

## THE STANDING COMMITTEES—ATTENDANCE OF MEMBERS.

Mr. STAVELEY HILL: I wish to ask my hon. and learned Friend the Attorney General a Question of which I have given him private Notice. It is, Whether it is intended, on the part of the Government, to issue Whips for the Standing Committees, as was done in the case of the Grand Committee on Law this morning? If so, whether, in the opinion of the Attorney General, such a practice will tend to the impartial consideration of the Bills referred to those Committees?

The ATTORNEY GENERAL (Sir Henry James): I am much obliged to my hon. and learned Friend for giving me an opportunity of answering this Question, which I think rests upon some misapprehension. Although many hon. Members have been constant and assiduous in their attendance at this Committee, I must say that while some very important questions in relation to this Bill have been discussed the attendance has been comparatively small. I was very anxious, not to obtain the votes of hon. Members, but to take their judgment on the Bill, and I did feel it desirable that they should attend. But I did not wish to communicate with them personally, lest it should be supposed that I was seeking their support. Therefore, the request was made in a more formal manner; and, of course, the request could only be made, so far as I was concerned, to a section of the Committee. ["Oh!"] But I took the opportunity of communicating to the hon. and learned Member for Launceston (Sir Hardinge Giffard), who had opposed the Bill in this House, and who was conducting the opposition to the Bill, that I thought a more general attendance was desirable, and I placed in his possession yesterday the fact that the issue of a request had been determined upon. I must say that my hon. and learned Friend accepted the notice in the spirit in which I made the communication to him. I can assure the House that I should be very sorry if that communication should be regarded as other than an entirely colourless one in regard to any support that I sought. I had no intention whatever of issuing a Party Whip.

MR. SEXTON: I wish to ask the Attorney General, whether the form of sending a communication to a section of the Grand Committees is to be considered as exceptional; or whether the Government intend to apply to Grand Committees the system of issuing Party Whips?

THE ATTORNEY GENERAL (Sir HENRY JAMES): I have already stated the object for which the communication was made. I do not think the system will prevail as a practice beyond what it has done.

MR. GORST: Is the House to understand that Her Majesty's Government have come to the conclusion that without the use of these Party instruments the Grand Committees will not work well?

SIR STAFFORD NORTHCOTE: In reference to the answer of the Attorney General just now, in which he said that he did not contemplate that the practice would go beyond what it had at present, I would ask whether he means that no more Circulars will be issued, or that they will only be issued on similar occasions?

THE ATTORNEY GENERAL (Sir HENRY JAMES): I hope no similar occasions will arise. Really, Sir, this act was rather my own than that of anybody else, and I do not think it would be likely that occasion will arise for its frequent adoption.

MR. ARTHUR O'CONNOR: Is it not a fact that the Whip was sent out after the Government had been defeated on an important point?

THE ATTORNEY GENERAL (Sir HENRY JAMES): I am happy to say that nothing has occurred which I have regarded as a Government defeat.

MR. WARTON: Understood to be defeated.

## PARLIAMENT — BUSINESS OF THE HOUSE—THE NAVY ESTIMATES.

MR. W. H. SMITH asked the Prime Minister, Whether he could state on what day the Navy Estimates would be resumed, assuming that the Parliamentary Oaths Act (1866) Amendment Bill closed on Thursday?

MR. GLADSTONE: On that assumption, we should proceed with the Navy Estimates on Monday.

## PARLIAMENT — BUSINESS OF THE HOUSE—THE AGRICULTURAL HOLDINGS BILL.

MR. HENEAGE: Can the Prime Minister give the House any information with regard to the introduction of the Agricultural Holdings Bill? There are two meetings to be held next week, which will be attended by agriculturists from all parts of the country, with the intention of discussing this Bill.

MR. GLADSTONE: Viewing the nature of the Bill, it will not be in our power to introduce it this week; and all I can say is that we hope to lay it on the Table and have it in circulation before Whitsuntide.

## LAW AND POLICE (IRELAND)—TRIAL OF FITZHARRIS FOR MURDER.

MR. JESSE COLLINGS: Can the Chief Secretary to the Lord Lieutenant of Ireland give the House any information with respect to the result of the trial of Fitzharris?

[No reply was given.]

## NAVY—H.M.S. "DARING."

MR. W. H. SMITH asked the Secretary to the Admiralty, If he had received any information with respect to a reported accident on board Her Majesty's ship *Daring* by the bursting of a gun, causing the loss of two or three lives?

MR. CAMPBELL-BANNERMAN: I am sorry to say it is true that an accident occurred on the 23rd of February at Yokohama, on board Her Majesty's ship *Daring*. During target practice a 64-pounder gun, with the full charge of 10 lbs. of powder, broke up into two pieces, the whole of the rear part from the vent being blown overboard, through the opposite port, killing two men, and slightly injuring three others, who, by the latest accounts, were doing well. The gun is a muzzle-loader of an early pattern of Woolwich manufacture, with a wrought-iron tube. A full inquiry will be made by competent authorities into the cause of this accident; and, in the meantime, orders have been given that all guns of the same pattern shall be used, if at all, with a reduced charge. Guns of this calibre at present manufactured have an improved tube of steel instead of wrought-iron.

MR. CARBUTT: Was not the gun made of cast-iron; and are we to understand that new guns are to be made of cast-iron lined with steel?

MR. CAMPBELL-BANNERMAN: It was not a cast-iron gun.

## *MOTION.*

## PARLIAMENT — BUSINESS OF THE HOUSE — THE PARLIAMENTARY OATHS ACT (1866) AMENDMENT BILL—POSTPONEMENT OF ORDERS OF THE DAY.

MR. GLADSTONE moved—

> "That the Order for resuming the Adjourned Debate on the Parliamentary Oaths Act (1866) Amendment Bill have precedence this day of the Notices of Motion and the other Orders of the Day."

MR. HOPWOOD expressed his deep disappointment at the Motion made by the Prime Minister. His disappointment was, no doubt, a small matter; but the disappointment of the large number throughout England, Scotland, and Ireland, whose attention was turned to the matter of the Vaccination Laws, was a much more serious thing to contemplate. He regretted that the Government had not dealt with the question in the past, as they might have done. It was now three years since they had sought, by a Bill, to modify cumulative prosecutions in support of compulsory vaccination, and then the attempt was but feebly made. It was not pressed forward as it might have been, and was soon dropped. He was, however, perfectly aware of the pressure under which Her Majesty's Government now laboured, and on that account was not disposed to lend himself to any opposition to the present Motion. With regard to the matter which he desired to lay before the House, at this moment there were many thousands of people in the country who were awaiting the next order to vaccinate their children, and who resisted the enforcement of the law, accounting it better to pay the penalty; and, in consequence of their objection, people had been imprisoned, and many had been sold up by distress warrants. And then, when they came to that House to secure an opportunity of redressing the grievance, it was taken from them. He only hoped that if they brought it forward on the Estimates the Government would secure to them an opportunity of discussing it then. This question had grown and was still growing, and would not cease to grow so long as the just cause of complaint it gave rise to was unremedied. He felt that the evening would have been much better spent in the consideration of this interesting and grave subject, rather than in hearing the series of speeches to which they were doomed to listen from the Opposition on the Parliamentary Oaths Act (1866) Amendment Bill, which did not contain one grain of salt, and which were nightly delivered for the purpose of satisfying Party rancour and religious bigotry.

MR. CHAPLIN observed that, when he gave Notice of opposition to the Motion of the Prime Minister, he did so with the full intention of taking the sense of the House upon it in the interest of private Members. But he was not aware of the amicable arrangement which appeared to have been made between the Government and the hon. and learned Member for Stockport.

MR. HOPWOOD said, no arrangement had been come to.

MR. CHAPLIN said, he must say it gave him the idea that the hon. and learned Member had no great zeal in favour of the Motion standing in his name. But though you might take a horse to water, you could not make him drink, and so it was not possible to force the hon. and learned Member to proceed with his Motion. He must, however, enter his protest against the action of the Government. It might be true that a procedure had lately been established enabling the Government to proceed *de die in diem* with their measures; but that was a practice peculiar to the present Administration, and the sooner it was put a stop to the better. No matter what the cause was, whether the Government were introducing some measure for the confiscation of property in Ireland, or were desirous of proceeding with the Parliamentary Oaths Act (1866) Amendment Bill, the excuse was always the same—namely, the great pressure of Public Business and urgency for the question under discussion. But who was responsible for Public Business if not the Government? He totally denied either urgency or necessity for the measure now before the House; on the contrary, he regarded the measure as the most wilful waste of public time. No Government within his own experience had ever consumed a larger proportion of the public time than the present Administration, or had made a worse use of it. He protested strongly against this encroachment on the rights of private Members.

MR. P. A. TAYLOR said he did not think the conduct of the hon. and learned Member for Stockport indicated any indifference to the subject of his Motion; he was rather in the position of the man who declined to contend with the master of many legions. There would be deep disappointment and discouragement at the decision of the Prime Minister in tens of thousands of British homes. All those who saw their children suffering from disease or sinking into death under a barbarous superstition would regret that the opportunity for debate on the subject had been removed by the action of the Government; and he hoped the Government would consider that there was a certain moral claim upon them to afford facilities for bringing the question before the House before the end of the Session.

SIR WALTER B. BARTTELOT said, the House had not heard a single word from the Government as to the course they intended to pursue in regard to the Vaccination Question; and he thought it was desirable, for their own sake and in the interest of those who strongly supported, as well as of those who objected to the Acts, that such a statement should be made.

SIR CHARLES W. DILKE: I should have been very happy, indeed, if my hon. and learned Friend had had an opportunity of bringing the matter before the House; and I should have been fully prepared to state the views of the Government upon the subject. But I apprehend that it would be wholly out of Order to make such a statement at the present moment.

SIR EDWARD COLEBROOKE said, he thought the proposal of the Prime Minister was without precedent. Appeal was often made to private Members to give way in favour of any Motion that was popular with the House; but he never knew, in his experience, of postponing the Notices of Motion for an Order of the Day. Orders of the Day, on the other hand, were frequently postponed for Notices of Motion, because they were on Government nights. The House should consider well the action of the Government. It was one which would put an end to the rights of private Members. If, on the Motion of a Minister of the Crown, the Government were able at any time to put down a Motion of a private Member, there was an end to all rights of private Members. If other hon. Members who had Motions for to-night were in the pliant humour of the hon. and learned Member for Stockport, he (Sir Edward Colebrooke) had nothing further to say; but if they were not all agreed, then there was the very important question he would ask, whether the rights of private Members did not rest on the Standing Orders? If they rested on the Standing Orders, the Motion of the Prime Minister was quite out of Order. If they did not, then let hon. Members know that their title to bring their

Motions forward rested on the will of the bare majority of the House.

Mr. LEWIS said, the usual course was to bring pressure to bear upon individual Members to get them to give way. He had no recollection of a similar Motion to that made by the Leader of the House under the same circumstances. He himself had given Notice of a Motion for to-night with reference to the annexation of territory in different parts of the world, and he did not know what future opportunity he should have of bringing forward the Motion. There was not the smallest suggestion that the Prime Minister would endeavour to recoup private Members the opportunities now lost. The hon. and learned Member for Stockport took the opportunity of lecturing the Opposition as to its style of speaking on the Parliamentary Oaths Acts (1866) Amendment Bill. Personally, he felt that he ought to thank the hon. Baronet opposite (Sir Edward Colebrooke) for his independent and manly protest against this new system which was to be commenced. He should divide the House on the subject, in order that the public and the House might know that this case was not to become a precedent merely because of the exigencies of Her Majesty's Government under particular circumstances. Any interference with the rights of private Members on these Tuesday evenings they ought to resist to the uttermost.

Mr. GORST said, he hoped the House would, by a division, express its protest against this extraordinary Resolution. He had always understood the procedure of the House to be regulated by the Standing Orders, and by those Orders Tuesdays were allotted to private Members, the Motions of private Members taking precedence of the Orders of the Day. If the Motion was acceded to, it would set at defiance the Standing Orders of the House. So tame, so abject had hon. Members sitting below the Gangway opposite become, that the Government did not even pay them the compliment to ask them if they would postpone their Notices of Motion to the interests of the public service. The Prime Minister had come down with a Motion in the teeth of the Standing Orders, by which their rights were summarily to be taken away. Unless the Prime Minister could produce a precedent or some reason for this most unusual and extraordinary proceeding, he should, if he could procure a Teller, take the sense of the House on it.

Mr. RYLANDS said, he thought there was a good deal in what had fallen from his hon. Friend behind him (Sir Edward Colebrooke) and the hon. and learned Gentleman who had just spoken. His recollection was that on such occasions it was the custom to inquire from hon. Members who had Notices on the Paper whether they would be willing to give way to the Government. He had frequently heard appeals made to private Members from the Front Bench on such occasions. The House should remember that the Government had an alternative, for they might have taken a Morning Sitting. He believed it would have been desirable for them to have taken that course. He did not wish to stand in the way of Public Business; but unless a precedent were produced he should, as a private Member, look with very great dislike on a change which would, he feared, seriously infringe the rights of private Members.

Mr. GLADSTONE said, his hon. Friend who had just sat down, his hon. Friend behind him (Sir Edward Colebrooke), and the hon. Gentleman the Member for Londonderry (Mr. Lewis), spoke of their recollections of this subject, and recollections were very good things to go by when there was nothing better to go by. Records were better than recollections. It was the usual practice to appeal to hon. Members to waive their rights of discussion, and to obtain a voluntary renunciation from them; but it was also perfectly usual by Notice to bring the question before the House. He was surprised that the recollection of his hon. Friend behind him and his hon. Friend who had just sat down should have completely excluded that view of the case. The hon. and learned Member opposite (Mr. Gorst) gave them to understand that no such thing could ever have been dreamt of in the time of the late Government—that it was quite impossible. He was not going to censure anybody; but the late Government might have felt in a considerable degree the pressure which the House now felt to be overwhelming. He had instances of a Motion of this class having been made, two of them remote, and two of them recent. On

Tuesday, May 6, 1856, on the Treaty of Peace. On Tuesday, March 3, 1857, on the China Question. On Tuesday, May 8, 1877, on the Eastern Question. And on Tuesday, one week after, May 15, 1877, on the Universities of Oxford and Cambridge Bill. He should be extremely sorry to introduce an innovation of this kind; and he hoped he had given facts to the House which had shown the error of his hon Friends.

MR. J. LOWTHER said, the right hon. Gentleman had omitted to inform the House whether, on the occasions to which he referred, any appeal was made to hon. Members who had Notices standing on the Paper. [Mr. GLADSTONE: The Motion was made.] Of course, it was necessary that a Motion should be made, as a matter of form, whether there was or was not an understanding upon the subject of such a Motion. He could not, however, recall to mind, during the time he had been in the House, any occasion on which the rights of private Members had been taken away, without their being asked, first of all, to concur in the adoption of that course.

THE MARQUESS OF HARTINGTON said, he had only been able to refer to one precedent, which had already been mentioned by his right hon. Friend—namely, that of the Universities of Oxford and Cambridge Bill. On that occasion the then Chancellor of the Exchequer (Sir Stafford Northcote) moved that the Notices of Motion be postponed till after the Order of the Day for going into Committee on that Bill. A protest of exactly the same description as that then before them was made by Sir Colman O'Loghlen, who objected to the form in which the thing was done. The Chancellor of the Exchequer, in reply, said that the effect of giving up the day would probably be a curtailment of the Whitsuntide Recess. There was no appeal made to hon. Members; and his impression was that there were several similar precedents for the course then proposed.

SIR STAFFORD NORTHCOTE: I cannot remember the precise incident to which the noble Marquess refers. No doubt, there have been many occasions on which a desire has been felt to continue on the Tuesday a debate which has been continued over the Monday; but, undoubtedly, the large number of cases in which that has taken place has been dealt with by appeals made to Members having Notices on the Paper. I cannot but think that that is the better and fairer way to proceed. After all, it is for the convenience, not of the Government in particular, but of the whole House, that the request is made. I believe that in this particular case, as far as I understand the circumstances, the general convenience of the House points to the conclusion of the debate on the second reading of the Parliamentary Oaths Act (1866) Amendment Bill in the course of this week; and also there is, as is well known, a very large number of Members who are extremely anxious, and who have a right, to take part in that discussion before it closes. Looking at these things, it did not seem unnatural that the Government should desire or suggest that Tuesday should be taken for the continuance of the debate. As has been remarked, it would have been in their power to have put down a Notice for a Morning Sitting to-day; but I am bound to say that I think such a proposal would have been a much more objectionable proceeding than to ask for the Evening Sitting, for this reason—that Morning Sittings are now extremely inconvenient to Members who are serving upon Grand Committees, and who ought to be considered. As far as I am concerned, I have always expressed my opinion that on occasions like this it would be better to take the Evening Sitting; and I think the present occasion was one on which the Evening Sitting might very fairly have been asked for. But it should have been asked for in the manner which has been most usual, and it would have been in accordance both with precedents and with the good feeling of the House that it should have been done in that way. I do not know whether I should suggest to the Government that they should even now adopt that plan. I believe it would not be at all too late that they should ask leave to withdraw the Motion, and appeal to hon. Members to allow the debate to be continued. As to the continuance of the debate, I feel very strongly that it would be for the convenience of the House that it should be allowed to be proceeded with.

MR. JOSEPH COWEN said, that he would not enter into a discussion as to whether the Resolution was in accordance with precedent or not. That was a matter for the two Front Benches, and they could settle it between themselves. His recollection was that whenever Government took a private Members' night they always asked for it, and if the case was urgent they always got it. That was the practice in the last Parliament. He wished, however, to put in a plea for independent Members, whose privileges were vanishing very fast, and would soon, he feared, disappear altogether. The Government ought not to be surprised at the reluctance with which hon. Members relinquished the nights they had secured. There were only 20 or 25 nights in the Session on which private Members had an opportunity of submitting Motions, and for many of these nights there were often 20, 30, or even 40 competitors. When a man got the first Order on the Paper it was a considerable sacrifice to him to have to abandon it. The subject might not be of much interest to the Government; but it was of great interest to the Members concerned. There were Members in that House who had balloted nearly every night for the past two Sessions, and had never got first place. But he believed it was the general wish of the House to go forward with the Parliamentary Oaths Act (1866) Amendment Bill. The hon. and learned Member for Stockport (Mr. Hopwood) had no alternative but to withdraw; and he had done wisely in acquiescing, without more ado, in the inevitable. But, apart altogether from this special case, the course of affairs in Parliament was seriously deserving the attention of the few independent Members who remained. There never was a Parliament where what was commonly called crotchets—he did not use the word in an offensive or invidious sense—had more advocates. There never was a majority that was more indifferent—he might almost say antagonistic—to the rights of private Members, and there never was a Government that had made so much encroachment on the time of private Members. Hon. Gentlemen behind him consoled themselves with the reflection that if they did not get their Motions discussed the Government got their Bills forward, and that was sufficient. That might do well enough for the time; but they should remember that the Liberals would not always be in Office. [An hon. MEMBER: Oh, yes!] The time would come—and it might come soon—when hon. Gentlemen on the other side would occupy the places the Liberals now filled, and the precedents that the Ministerialists had set during this Parliament would be used against them. They would be made to suffer for the Rules they had called into existence. The position of the Conservatives was different to that of the Liberals. If the Conservatives had a majority in the Commons, they could always carry their measure through "another place." But the Liberals, while they had a majority in the Commons, were in a permanent minority in the other place; and they would see that the regulations and practices they were now initiating and countenancing would be put in operation against them. This was a reflection that did not appear to have struck many of his hon. Friends. The Government knew their own policy best, and he did not presume to offer an opinion on it. But the anxiety they had for making progress with Business did not altogether coincide with the manner and time in which they had put forward the Parliamentary Oaths Act (1866) Amendment Bill. It was desirable for the House to pass it, and he hoped they would be able to do so; but it would have been well if they had allowed further progress to be made with Supply and some of their other Bills before interjecting a measure that involved so much opposition. They could have done this without detriment to the Public Service or to Mr. Bradlaugh. But, for reasons which, no doubt, appeared to them sufficient, they had decided otherwise; and he thought it was in the interest of the House to allow the discussion to proceed. But, at the same time, it was equally the interest of independent Members to record their protest against the arbitrary manner in which their privileges were appropriated and their Motions set aside.

MR. NEWDEGATE said, that they were asked to give up the rights of private Members in order to consider a measure which the Government had introduced, but had not mentioned in the Queen's Speech. The Government had now discovered that that measure was opposed to the general feeling of the country; and they were now about to proceed as Governments proceeded on the sudden outbreak of a war or on the apprehension of insurrection at home. That was the position in which the right hon. Gentleman at the head of the Government seemed to feel himself placed. He could only say that if the right hon. Gentleman did feel himself to be so placed, that might be an excuse, in the right hon. Gentleman's view of the case, for this infraction of the rights of private Members; but it was no excuse for it in his opinion.

Mr. EDWARD CLARKE said, the Prime Minister had told them there were two precedents for this Motion of somewhat old date, and two which were more recent. He had had an opportunity of referring to the two precedents of the 7th of May, 1877, and the 15th of May, 1877, and neither of them supported in the least degree the proposal which the Prime Minister was now making. The House, at the time, was engaged in discussing a Resolution of Censure upon the then Government, proposed by the right hon. Gentleman himself; and on the 7th of May, when the question arose as to the day on which that discussion should be continued, the then Chancellor of the Exchequer (Sir Stafford Northcote) made an appeal to the hon. Member for Hackney (Mr. J. Holms), who had one Motion on the Paper, and also to the right hon. and learned Member for Clare (Sir Colman O'Loghlen), who had another Motion, to give way and allow the debate to be resumed. The hon. Member for Hackney, a Member of the present Government, declined to give way, and then the noble Marquess the present Secretary of State for War remonstrated with him on being so unreasonable. The right hon. and learned Member for Clare yielded to the request made to him, and after discussion and protests from individual Members the hon. Member for Hackney at length gave up his claim to precedence, and with the consent of those two Members the debate was continued on the following day. The same thing happened on the 15th of May, when there was another question raised in regard to the continuance of the debate. An appeal was made to Members who had Motions on the Paper, and they yielded, after a strong protest from the hon. Members for Burnley (Mr. Rylands) and Swansea (Mr. Dillwyn), and one or two other Gentlemen below the Gangway, against private Members being asked to waive their claims. But it was not pretended in any quarter that the Minister of the day was to come down at his own will, and in disregard of the will of private Members, to extinguish their rights.

Mr. THOMASSON deprecated the conduct of the Government in shelving the Motion on the Vaccination Question. They had spent much time last year in elaborating a new Standing Order in reference to the closing of debate; and he could imagine no occasion which would be more fitting for the application of that new Rule than in regard to a subject which had been discussed both in and out of the House *usque ad nauseam.*

Mr. A. J. BALFOUR pointed out that all the precedents quoted by the Prime Minister occurred when their Rules were still unreformed. They had spent the whole Autumn Session in reforming their Rules, and they were told that the results of the change then made would be—first, the more adequate discussion of Supply; and, secondly, that the rights of private Members would be no longer interfered with in the arbitrary manner which had become so habitual under successive Governments. Let the House recollect that the Government were not transacting exceptional Business. There was no crisis to be dealt with at home or abroad; and he failed altogether to see what justification there could be, at this time of the Session, for infringing the rights of private Members. Did they think that the House had already had too much discussion on the Parliamentary Oaths Act (1866) Amendment Bill? [*Cheers from the Ministerial Benches.*] Was that the opinion of the Government? The cheers died away. If that was their opinion, and the opinion of the majority of the House, let them have the courage of their opinion, and apply the Rule they had spent so many weeks in passing, and apply the *clôture* to the debate which the Government had initiated on that question.

Mr. WARTON said, that the hon. and learned Member for Plymouth (Mr. E. Clarke) had demolished the last precedents quoted by Members of the Government. As to the others, he asked whether the Government considered the question of peace with Russia, of war with China, or the settlement of the Eastern Question of no more importance than the admission of an Atheist to the House? If they thought the admission of an Atheist of such great importance, why did they not put it in the Queen's Speech?

Mr. SEXTON said, he was glad that he had succeeded in attracting the Deputy Speaker's notice. The Prime Minister and the noble Marquess the Secretary of State for War had defended the form of that Motion; but the substance of it, so far as the Government were concerned, remained up to the present untouched. When challenged on the question of precedents, the Prime Minister was able to show that a similar Motion had been made four times in a quarter of a century. One might have expected that in such a case the Prime Minister would have afforded the House some reason for making such a proposal. He expected the appeal of the right hon. Member for North Devon (Sir Stafford Northcote) would fall on unsympathetic ears. He was glad the hon. Member for Londonderry (Mr. Lewis) had expressed his determination to divide the House; and it was not flattering to Radical Gentlemen that the only real protest on behalf of the rights of private Members had come from the Tory Benches. If the hon. Member for Londonderry had not decided to divide the House, he (Mr. Sexton) would have done so. There was nothing in the state of Business to recommend this proposal to the favourable opinion of the House. Two months had now passed since the Session began. What had the Government been doing with the time? Their legislation had been all of a leisurely character, the proceedings so far had been totally insignificant, and this was the most mismanaged Session of a Parliament in which Public Business had been exceptionally badly managed. What was this measure now before the House? It was a measure brought in for one man only—it was a one man Bill, to enable that solitary Atheist to sit in that House. They were asked to postpone all other Business simply in order to give urgency to a measure which was to allow a violent and turbulent Atheist to sit in that House. Private Members had a right to complain. A Motion in his name stood second on the Paper for to-night which gravely affected the lives of hundreds of peasants in Ireland. He had hoped for an opportunity of bringing this subject before the House to-night, and had intended inviting the House to express an opinion that it was unjust, in districts from which exceptional crime had disappeared, to impose special burdens upon the people under Viceregal Proclamations issued by virtue of the Prevention of Crime (Ireland) Act. He should have been able to show that the Lord Lieutenant exercised his powers in a very harsh and injurious manner.

The DEPUTY SPEAKER (Sir Arthur Otway): The hon. Member is not entitled, having regard to the Motion before the House, to discuss the Motion which he would have brought forward under other circumstances.

Mr. SEXTON asked if he were not entitled to argue the relative urgency of the Motion standing in his name and the Motion of the Prime Minister? His Motion was much more urgent than the Prime Minister's, and he protested against the arbitrary use which the Premier was making of his majority in that House. It was revolting to place the claim of Mr. Bradlaugh to take his seat as a matter of greater urgency than the claims of poor, honest, law-abiding people to be relieved from unjust burdens of taxation.

Sir WILLIAM HARCOURT said, that of all modes of wasting time the worst was that of discussing what they were to discuss. The question before the House was a practical one. The Government had made arrangements, which, in their view, seemed to meet the desire of the House, and which were not unusual under such circumstances. The only result of not accepting the present Motion would be to carry over the debate into next week. The real fact was that these claims of private Members were generally made more for the purpose of wasting the time of the House than in order to save the rights of private Members. ["Oh!"] At all events, they had had recent experience that when private Members had time devoted to them they did not avail themselves of it. The question was, did the House require the debate on the Parliamentary Oaths Act (1866) Amendment Bill to come to an end on Thursday? If not, there would be a great interruption to Public Business. That was the question the House had to consider. The House must be master of its own time. The question was, whether, having regard to the progress of Public Business, would it be advanced or retarded by giving up that night to the discussion of that Bill? He ventured to think it would be materially advanced.

SIR R. ASSHETON CROSS said, he thought the right hon. and learned Gentleman who had just sat down could not have been in the House when the present discussion began, and could not have heard the observations of his hon. Friend who sat on that side of the House, otherwise he would have known that the question was not whether the House should go on with the debate on the Parliamentary Oaths Act (1866) Amendment Bill, but whether the Government had taken the right course in bringing that result about. If they had, they might at any time interfere with the rights of private Members. He thought the suggestion of his right hon. Friend the Member for North Devon (Sir Stafford Northcote) would get the House out of the difficulty; and if the Prime Minister would withdraw his Motion, which was not in accordance with the wishes of a very large portion of the House, and would give way to private Members, he would gain the object he had in view, and would, moreover, not be setting a bad example.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS) said, the right hon. Gentleman opposite (Sir R. Assheton Cross) must himself have been absent from the House, because he evidently had not heard the hon. Member for Sligo (Mr. Sexton) warn the House that he would not postpone or withdraw his Motion that stood on the Paper for to-night. It would, therefore, be perfectly futile on the part of the Government if they were to withdraw the present Motion, when an hon. Member in another part of the House had distinctly warned the House that he would not withdraw his own Motion. He had looked at the precedent of 1877 cited by the hon. and learned Member for Plymouth (Mr. E. Clarke), and had found that the discussion to which he had referred took place on the 7th of May, when the Notice of Motion was given; but that on the 8th of May, when the Notice of Motion had become one of the Orders of the Day, the Motion was put at once and carried without opposition, for it was not a subject of debate at all. He thought they could not do better than follow that precedent.

MR. JUSTIN M'CARTHY said, he thought the right hon. Gentleman who had just sat down had not succeeded in clearing up the difficulty. The Home Secretary, who was formerly such a champion of the rights of private Members, had now nothing but sneers for those rights. If the Government wanted to save time they could do so by no better process than abandoning the Parliamentary Oaths Act (1866) Amendment Bill, which simply stood in the way of useful legislation, and was only provocative of ill-feeling and a scandal to the country. They seemed to disregard all the constituents of the Kingdom in the interest of the constituents of Northampton.

MR. O'DONNELL said, that the Home Secretary had observed that the claims of private Members were only insisted on with the view of interfering with the time of the Government. He would suggest a compromise. It was clear that the hon. and learned Member for Stockport (Mr. Hopwood) cared very little about his clients and his anti-vaccination proposal in comparison with the wrath of the Olympians on the Treasury Bench. The hon. and learned Member's claims might, therefore, be safely thrust aside. But his hon. Friend (Mr. Sexton), who had the second place, was convinced of the necessity of attending to the requirements of his clients. The Motion of his hon. Friend could be thoroughly discussed in three or four hours. He would propose, therefore, that the House should proceed with that Motion, and that the rest of the time might be occupied by the Government upon the savoury subject which they had chosen to obtrude upon the House. There was no reason why private Members should give way to the Government. Why did not the Government begin to bring on some Public Business? No one was interested in the Bill except the right hon. Member for Mid Lothian and the half Member for Northampton. There would be better reason for the course the Government were taking if they claimed the rest of the night for some other purpose—for example, the Government of London Bill or the Tenants' Compensation Bill, instead of the one man question which they were bringing forward. The invasion of private Members' rights was injurious indirectly, as well as directly, as the disposition of private Members to seek opportunity of bringing forward questions at all was destroyed. The conduct of the Government in respect of that Bill had more and more perverted and degraded the House, and even Members below the Gangway were beginning to recognize the degradation involved in that measure. He wanted to hear some assurance from the Government of their willingness to accept the compromise suggested, otherwise he challenged the Government to a private *clôture.* Let the Government bring in their Atheist by brute force, which would be a fitting close to a policy of gradual and shameful condescension to violence and dictation.

Mr. MACARTNEY said, that he should not be suspected of acting in collusion with the hon. Member who had just spoken, and his Friends. Nevertheless, he sympathized with the hon. Member for Sligo (Mr. Sexton), because an unusual attempt had been made to trample on the rights of private Members. After Whitsuntide the Government would be sure to require the sacrifice of all the privileges of private Members, and they had now come down to require that sacrifice for the sake of a measure which stank in the nostrils of the people of England.

Mr. RAMSAY wished to put it to the House whether the discussion in which they had engaged was not such as to degrade the House in the eyes of the country? He thought hon. Members would recognize that there was nothing that tended more to lower Parliament in the eyes of the constituencies than the occupation of their time in fruitless discussion. It might be, in this instance, that Ministers had given less heed to the letter of the Standing Orders than they might have done; but, although that were fully proved, it was the expressed wish of Members on both sides of the House that they should take the sense of the House as to whether they should go on with the discussion of the Parliamentary Oaths Act (1866) Amendment Bill or not. Then let the division be taken. It was the wish of the House that it should be taken, and why should they waste the time of the House with irrelevant talk? He felt he should not have made this appeal in vain if hon. Members would reflect for a moment, and, apart from Party spirit, consider what were the means by which they might best accelerate the despatch of Public Business.

Mr. O'BRIEN said, he did not intend to discuss with the hon. Gentleman who had just sat down questions regarding the degradation of that House; but he should join with the hon. Member for Sligo (Mr. Sexton) in his protest against the Motion of the Prime Minister, which had the effect of crushing out a most important discussion relating to Irish affairs. If the Radical Party, with characteristic independence, preferred to surrender their vaccination proposals in order to convenience the Government, that did not bind other hon. Members in that House who were not so pliant, who had matters of importance there to discuss, matters of more importance than the interests of Mr. Bradlaugh and his patrons. The Motion of the hon. Member for Sligo was one of extreme urgency—it was whether merciless police taxes should be inflicted on people in districts in Ireland, not because crime was committed there, but because they refused to take evicted farms. If they did not ventilate this subject now, they would have no other opportunity to do so, for this was the second private Members' night during the whole Session on which any Irish affairs could be discussed. Discontent was to be driven under the surface in Parliament as well as in Ireland. He really thought it was rather cool for hon. Gentlemen on the Ministerial side of the House to pretend to be so indignant when the Irish Members objected to be victimized because the Government was not able to get through with its Business. If the Government found the Parliamentary Oaths Act (1866) Amendment Bill somewhat of a white elephant the fault was their own. The Irish Members had the least of the talking; and if other Members exceeded the bounds of legitimate discussion, why did not the Government use the powers under the new Rule and bring this debate to an end? The fact was, the Government deliberately determined to prefer the interests of Mr. Bradlaugh and the Parliamentary Oaths Act (1866) Amendment Bill to all the other Business of the country; and as the Government had sold the prospects of a whole Session for a mess—and that not a very savoury mess—of pottage, he did not think they could expect private Members to help them out of their bargain. If Mr. Bradlaugh was to be the hero of the Session let the Government keep him for their own nights, and let him not be sprawling like a centipede over private Members' nights.

MR. THOMAS COLLINS said, he very much regretted the position in which the House was placed. It was, he believed, owing to that fact that the present Parliament was much too mealy-mouthed in applying the power of *clôture* which they now possessed to hon. Gentlemen whom they did not wish to hear. If this had occurred in former Parliaments to-night would have been given to private Members, and the debate on the Parliamentary Oaths Act (1866) Amendment Bill would have been brought to a close on Thursday in the regular way. In future he hoped the House would be more firm in applying the moral *clôture* with a view to putting down speakers when the House did not want to hear them.

MR. HARRINGTON claimed that all the precedents quoted by the Prime Minister proved the contrary of what he desired to show. This, they were told, was not to be an Irish Session, and so the right which belonged to private Members of bringing forward Motions such as that of the hon. Member for Sligo (Mr. Sexton) was the only opportunity left them of discussing matters affecting the welfare of the people of Ireland. The Government, however, seemed determined to trample on the rights of all private Members. But Irish Members were not going to follow the example of the hon. and learned Member opposite (Mr. Hopwood), who attached so little importance to his Motion on Vaccination that he withdrew it to afford the Government an opportunity of performing their operation of vaccination, or rather circumcision, on the elect of Northampton.

Question put.

The House *divided:*—Ayes 157; Noes 105: Majority 52.—(Div. List, No. 78.)

*Ordered,* That the Order for resuming the Adjourned Debate on the Parliamentary Oaths Act (1866) Amendment Bill have precedence this day of the Notices of Motions and the other Orders of the Day.

## *ORDERS OF THE DAY.*

### PARLIAMENTARY OATHS ACT (1866) AMENDMENT BILL.—[BILL 89.]

(*Mr. Attorney General, The Marquess of Hartington, Secretary Sir William Harcourt, Mr. Solicitor General.*)

SECOND READING. [ADJOURNED DEBATE.]

[FOURTH NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [23rd April], "That the Bill be now read a second time."

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir R. Assheton Cross.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

MR. BERESFORD HOPE: Sir, it has been persistently asserted that this Bill is a grave concession to civil and religious liberty; but I contend that its real aspect is that of a Bradlaugh Relief Bill; a Bradlaugh Relief Bill simply, absolutely, and entirely; and I say this, knowing that every speaker on the other side of the House has used all kinds of arguments to prove it is not so. The Prime Minister has ratiocinated, and the Judge Advocate General has vociferated, and all in one key. But what are the facts? When, at the beginning of the Session, Mr. Bradlaugh threatened to come down at the head of his rabble and take us all by storm, my hon. and learned Friend the Attorney General, with that sweet and gentle persuasiveness which sits so charmingly upon him, got up and gave Notice of this Bill. Later on in the Session, in face of the ominous Notice of the hon. Member for Cheltenham (Baron de Ferrières), my hon. and learned Friend the Attorney General got up, sweeter than ever, and said that, of course, the precedents of Roman Catholic Emancipation and of O'Connell must be followed, and the Bill was not to be retrospective. When I heard that, I wondered at the faith with which some people can believe in the short memory of others. Roman Catholic Emancipation is not yet ancient history; it is not yet in the dark ages; for do we not rejoice to have in this House at the present moment, in perennial youth that hon. and gallant Gentleman (The O'Gorman Mahon), whose nomination of O'Connell for Clare brought about that emancipation? How that great act of Christian justice to the votaries of a great Christian Church can be compared to the capitulation to the vulgar brawlings and the impudent threatenings of a lot of wandering Atheists passes my understanding. The Prime Minister may, from his long wanderings in many lands, be likened to Sindbad the Sailor; but there is no doubt that Mr. Bradlaugh is to him a veritable "Old Man of the Sea"—an old man, though no way grand. Mr. Bradlaugh has turned up at most inconvenient times and places, and he will continue to turn up. The ground of this Bill is the desperate resort of a Government, a Government which, by its maladroit mismanagement, has raised a trouble to a scandal, and a scandal to a grave and dangerous question of national morality, national policy, and national religion.

I must, I fear, follow up rather technical considerations, while I chiefly address myself to what was the heart of the Prime Minister's argument—namely, the denial that the Oath under discussion was not merely a Theistical Oath in the abstract, but an Oath that involved a reference to a moral, active Deity. Of course, at the end of his speech, he shifted his ground, and maximized the Christian features of the Oath; but I am now speaking of the earlier and larger portion of it. The Prime Minister said—

> "If you call on us to draw these distinctions, let them be rational distinctions. I do not say let them be Christian distinctions; but let them be rational distinctions. I can understand one rational distinction, that you should frame the Oath in such a way as that its terms should recognize, not merely the acknowledgment of the existence of the Deity, but the providence of the Deity, and man's responsibility to the Deity. . . . But is that your present rule? No."

The Prime Minister, in answer to his own question, said "No;" but I am ready to cry on the housetops "Yes!" The Oath does involve man's responsibility to the Deity; and I will soon show why. But, first of all, let me dispose of and brush away one or two pretensions that have been set up. One is that the Oath, in its present form, is not only not Christian, but even anti-Christian. Suppose, by an impossibility, that the Oath, as it is, had been constructed out of nothing; that the Oath, in its present shape, had been the first form of ritual admission to Parliament ever devised; it might then have been plausibly argued that such an Oath, which did not name the Christian Deity, was non-Christian. But its historical origin is absolutely the contrary. The Oath, in former days, was an Oath that no one but a Christian—a Christian of a highly dogmatic form of belief—could take. Step by step, no doubt, it has been relaxed; but has any step of that relaxation made the taking of the Oath more difficult or more inconsistent to the Christian of strong dogmatic convictions? It never has, for nothing has been imported into it antagonistic to the belief of the fullest believer. Several classes of thinkers, indeed, have been let in. At one time only the Protestant could take the Oath. Then it was made possible for the Roman Catholic. Then the door was opened to the member of that ancient and venerable, but imperfect, religion—the Jewish religion—with whom we have such solemn differences, but whose adherents, like us, believe in the Ten Commandments as God's foundation of morality. Step by step the Oath has been relaxed; but, after each alteration, the Protestant has been able to take the Oath in as complete a Protestant sense as before, and with his Protestantism intact and inviolate. So, when the Jews were admitted to Parliament, did the Roman Catholic find that he was able to take the Oath less conscientiously? The Oath may now let in persons whom its original framers wished to keep out; but it turns no one out whom they wished to keep in. It remains the same to the Representatives of those who framed the earlier form, and to them it is as Christian an Oath as ever, for all its references to the Deity and to duty and responsibility present themselves through a Christian medium, as to the Jews they do that of their allegiance to the God of Abraham. It is, forsooth, said that the words, "So help me God," are only the form, and not the substance, of the Oath. I daresay that, by a highly technical use of words, there may be what can, by courtesy, be called arguments, set up to establish the distinction; but I maintain that a man who is admitted into this House through taking the Oath is as much so by the use of the words, "So help me God," as by uttering any other of the words in the Oath, for these are words conditioning and ratifying the whole contract.

But then the Prime Minister gave rein to his classical erudition, his great literary taste, his appreciation of all that is most magnificent in rhetoric, and in the diction of imagination. So he fell back upon the most dangerous and most delusive of all arguments, and supported his contention by a scrap of poetry. Lucretius, as a poet, needs no certificate from the House. I have nothing to say against him as a master of phrases; but I assert that to prop up a solid argument on a matter of political morality out of Lucretius is futile. The Deity which Lucretius, the follower of Epicurus, constructs cannot be the Deity of the Theist of a Christian age. The Theism which grows up in a Christian age and a Christian country, though it may believe that it abjures Christianity, cannot really throw it off. It is unconsciously tinged with a Christian colouring. The Theist has taken in with his mother's milk Christian instincts of morality, a Christian code of right and wrong, Christian social obligations. He is very much, indeed, of a Christian without his knowing it. The Theist, however pure and virtuous, of Pagan times and lands, had no such advantage. Epicurean Deity to him need have presented but slight intellectual difficulties. I will come, however, more directly to the point. In two-thirds of his speech, as I have noticed, the Prime Minister minimized the Theistic bearings of the Oath; and, in the remaining part of his speech, he maximized its Christian elements. He revelled in pouring his contempt on the people, who, he said, were so irrational as to believe there was any recognition of man's responsibility to the Deity in the Oath; and he propped up his argument by a scrap from Lucretius. Now, what is Lucretius's description of the Deity?

"Ipsa suis polleus opibus nihil indiga nostri,"

or, in English, "relying upon its own resources, wanting no help from us." This is definite. Now, what is the contract involved in the Oath, and what conception of duty does it involve? What does the swearer mean when he says, "So help me God?" He makes a certain promise, and he invokes certain help, certain assistance, certain patronage, on the condition of his keeping his promise, which promise is, or is not, valuable in proportion to the reality of the conditions. What does "so" mean? Why, let the something called God help me in connection with what I have promised, help me if I carry out what I have promised, and do not help me if I do not carry out my promise. How, then, the Prime Minister, with his great acuteness and his wonderful power of discrimination, could have overlooked the presence, or gone astray in the meaning, of that single monosyllable, I cannot understand. He will hardly contend that if God was to give us His help, then He can be indifferent to the help we reciprocally give Him through our obedience; and if things be so, then the whole Lucretian fallacy, the argument built on sand, crumbles away. The Deity of the Oath, in its own terms, is *indiga nostri.* How the Prime Minister could have overlooked the fact that by the use of the little word "so" the help of the Deity was invoked on condition of the promise made being observed I cannot comprehend. How that bargain with the so-named "God" could be anything else but a recognition of man's responsibility to an Eternal and Unseen Power passes my understanding. I say this Oath does amount to a recognition that man, with all his passions, all his self-interests, and all his lusts, does live in responsibility to active Deity, and that there is a Power greater and stronger than himself, whose justice there is no escape from.

But we are told that Atheists should be enfranchised as the symmetrical complement of Roman Catholics and Jews, and on the ground of civil and religious liberty. What is called disenfranchising an Atheist is not allowing him to take a seat in this House, because he has voluntarily made the preliminary assurance of his fulfilling his duties in this House, which we have the right to exact, impossible, by declaring that he is a person who cannot enter into that contract with, on the one side, the Omnipotent Arbiter of Truth and Untruth; and, on the other, with the House, with Mr. Speaker, with his country, and with his Sovereign, as the witnesses needed to testify that the man making the promise will faithfully and truly perform his duty of Member. There is only left his word; and what is the worth of a word from the man who repudiates the foundations of moral responsibility? It is just the same as the case of an idiot would be. We do not admit an idiot. Why? Because, as he does not understand right and wrong, he cannot fulfil a verbal obligation. He is not a safe man to charge with responsibility, because he is outside of the power of contracting; and so, for the like cause, the Atheist is morally an unsafe man. There is no possibility of binding him to his obligation. The word "God" has no meaning to him, while, for the extent to which it needs a meaning in the Oath, it has the same meaning for Christian, for Jew, and for all who recognize a supernatural moral government of the Universe. I now come back again to the contention of the Prime Minister that the Oath, in its present form, is not only non-Christian, but even anti-Christian. I have a higher authority for my opposition to the view of the Prime Minister than Lucretius. It is an authority for whom I have much stronger respect than I have even for the Prime Minister, for it is none other than St. Paul. The Apostle found at Athens an Altar to the Unknown God, the seat of a lowly-developed Theistical worship. Did he warn his audience off the narrow ledge of this dangerous delusion? Quite the reverse. He took the Unknown God to himself, and made Him a Known One, in an exposition of rational and moral Theism. If we study the *précis* of St. Paul's Sermon, as given in the Acts of the Apostles—not in the light of our fuller knowledge, but as it stands, we shall notice how short a distance it travels in positive Christianity. It speaks, indeed, of judgment to come, but through the "man" sent by God. On our Lord's Divinity it does not touch. St. Paul knew that he was addressing an auditory not yet fit to receive the mysteries of the Faith, so placed them on the ledge of moral Theism as a sure starting-place from which to take their upward flight. Yet the Prime Minister talks with contempt of the narrow ledge of Theism. Have I not shown that this contemptuous phrase is an inadequate and an unphilosophical representation of the difference between the belief in moral government, in eternal right and wrong, in future retribution, and the confused recognition of a mere brute nature in man lumbering on through the ages, without intelligible beginning or rational ending—nothing to hope, nothing to fear, nothing to live for, and nothing to die for.

Reference has already been made in this House to a remarkable series of letters that have appeared in a Newcastle paper, signed by "a Convinced Atheist;" but there is one passage in those letters which I must read, for it exposes the hollowness of the reference to the Quaker's Affirmation. It runs as follows:—

> "The Quaker objects to the Oath, because he believes God Almighty objects to it. Mr. Bradlaugh objects to the Oath as a farce and a piece of humbug, seeing he does not believe that any God Almighty exists. The Atheist objects to an Oath chiefly because it identifies civil obligations with religious duties; because it is a leading sign among all civilized communities of an Omnipresent and Omnipotent Sovereign."

I cannot agree with those who argue that not much harm will result if one of these foolish Atheists is allowed to enter Parliament, because I cannot be so sure of the safety. England is only 21 miles from France, even without a Channel Tunnel. In France, the negation of religion has taken a first place among Party questions. In that country, antagonism to religion, worked up by a political Party for political ends, has, within the last few years, taken portentous dimensions. So flagrant has the mischief grown that religion has inspired a very remarkable defender. In the dreary materialistic days of the Second Empire, there was no more powerful champion of Liberalism than M. Jules Simon, whose *Liberté* was a text-book of Liberal politics. M. Simon became one of the Government of National Defence; and he was afterwards, for a short time, Prime Minister under the Republic. Well, within these few late weeks he has published another book, bearing, like his former one, "*Liberté*" on the title page, but with two other substantives prefixed, "*Dieu, Patrie, Liberté.*" This is an eloquent, logical, yet passionate protest against the growth of Atheism in France, wrung from a man of intellect by the sight of what is going on around him. I will read two extracts from the book, and I must apologize for presenting them in my own poor translation. M. Simon says—

"Independent morality is morality independent of Revelation; it is not morality independent of God. Atheistic morality has been maintained at rare intervals through the ages by some theorists; it has only once been imposed in France for a fortnight by Hébert and Chaumette. Robespierre was irritated and revolted by it. The 'giants of the Convention,' accustomed to bear everything, did not bear that. The neutral school in Holland and elsewhere has never been anything, except the school without specific confessions. Neutral between Luther and Calvin, but not neutral between God and nothingness. Independent of the truth which is conspicuous and triumphant, man has need of God to defend himself against himself, and society has need of Him against men."

M. Simon has also written—

"We do not understand, like them, the function of the State; we believe that it cannot guarantee rights and punish crimes without admitting an eternal justice, and, in consequence, a God who is the source of it. We do not understand, like them, the interest of society; we believe that bread and the sun are not more necessary for our bodies than love and doctrine are for our souls. Devoted as we are to liberty, we will not that it shall impose on us a faith; we will still less that it shall impose on us a negation."

I accept these words of M. Simon. He may never have heard of our Oath. He probably wrote without thought of the present controversy in England. But the principles which he lays down in face of a danger which is our own danger, only full blown, perfectly correspond with the trouble which has come upon us. I cannot stop short of his position, for, like him, I cling to liberty; but I cannot claim less than he does for country and for God without treason to that God. It may be a long time before Atheism is as dangerously rampant in England as it is already in France; but if it secures any recognition in the case of the wretched peripatetic lecturer, who is the spoiled child of this Bill, a forward step will be gained; and therefore against that forward step I, with my Friends, intend to offer all the resistance in our power.

DR. LYONS said, as an independent Liberal, he rose to oppose the Bill, and to add the voice of Dublin to that of London and of Liverpool. He was not without some right to intervene in this debate, for he ventured to affirm that, had the Amendment proposed by him been adopted on a memorable occasion in the last Session, the question would have been set at rest during this Parliament; but it had seemed fit to the right hon. Gentleman the Leader of the Opposition to substitute an Amendment which, to his surprise, he afterwards found had only the effect of a Sessional Order; and hence the annual recurrence of this subject. He had, from the first, taken but one view in regard to this question. No doubt, it now presented itself under a technically different aspect to that in which it originally appeared; but he thought he could show that, to all intents and purposes, it was one and the same question—not about a class, not about a great body of individuals, but about one single person. He had listened with the profoundest attention and admiration to the grand effort of one of the greatest orators of modern times in defence of this Bill. But while he was momentarily led away by those transcendent outbursts of eloquence, which the Prime Minister had seldom equalled and never surpassed, he felt that his reason was not being enlisted on the side of the right hon. Gentleman. He knew not by what accident it was that the right hon. Gentleman, whose mind was at all times enriched with classic precedents, and with recollections of everything that was great and immortal in the history of the ages that had gone before, should have selected, for illustration, the representative of the baldest, the most sterile, and the least generally accepted of the doctrines of the ancients, in a passage from Lucretius, which, no doubt, was majestic in language, but which was far indeed from representing the views, the feelings, and the principles of the great sages of antiquity in Greece or in Rome. He (Dr. Lyons) would say, without fear of contradiction, and it could not but be well known to the Prime Minister that, in Greek and Latin literature, the classics were full of passages which showed the amplest recognition, in every action of life, of the presence of a Supreme and All-ruling Deity. Homer and Hesiod traced all human action to the Gods. Protagoras, the Abderite, who said he did not discuss whether there were or were not Gods, was, by order of the Athenians, "exterminated" from city and land, and his books burned in public. It was unfortunate, too, to cite Lucretius, because it was well known that, probably influenced by the unsatisfying nature of his own sterile views, and those of his master, Epicurus, at a comparatively early period he was said, on the best authorities, to have ended his life by committing suicide. Virgil, born on the day of Lucretius's death, did not in any way share his opinions; for he, in purer language and in higher spirit, had at all times most fully recognized the presence and the influence of a Deity. This was seen in the beautiful words of the Eclogue—

> "Ab Jove principium Musæ; Jovis omnia plena:
> Ille colit terras; illi mea carmina curæ."

The Prime Minister must have had present to his mind those noble passages from another writer of about the same age, in which the nature of the Gods was most amply discussed. Cicero expressly says, in a passage of the profoundest wisdom—"*Atque haud scio, an pietâte adversus Deos sublata fides etiam, et societas humani generis, et una excellentissima virtus justitia tollatur;*" and he predicted that a great perturbation of life and great confusion must follow the removal of sanctity and religion. He could not understand how the Prime Minister could have overlooked the great colloquy on this subject in Cicero's essay "*De Natura Deorum.*" In that essay he must have learned a doctrine of a very different kind from that preached by Lucretius. Nowhere, he (Dr. Lyons) ventured to affirm, in ancient or modern writings, could the whole subject of the relations of mankind and human society to the Deity be found more fully and philosophically discussed than in that now too little known conference between Cicero, Velleius the Senator, Balbus, and Caius Cotta—Cicero's "familiaris" and "Cotta meus," as he affectionately and constantly termed him. In more modern times, so profound and critical a philosopher and jurist as Leibnitz affirmed that God was, by His very essence, the Author of all Natural Law, as He was, for the same reason, the Author of all Truth. In fact, as he had said, the classic authors, from Pindar downwards, and the great Mediæval writers, formed an unbroken chain of the recognition of the Deity. But, no doubt, the Prime Minister had a difficult task before him, for he could not believe it was a congenial one to a man of his mind and attainments, and therefore it was that he had been induced to quote Lucretius as an authority. The Prime Minister treated the House to a cannonade of ethics and classical references. Like a skilful commander, he threw his heaviest metal before them, in the hope that the chief object at which he aimed might be lost sight of in the cloud of smoke that followed. But when the enthusiasm and the glamour of the Prime Minister's oratory had passed away, they could not but be sensible that the objects in favour of which his powers had been exerted were not worthy of them. He held that the statement so vaguely made in the course of the debate, that there were at present in the House shoals of Atheists, one of whom was a Cabinet Minister, who had taken the Oath, should not be allowed to go before the country unchallenged and unrepudiated. He could only say that during the time he had held a seat in the House he had never heard from any hon. Member an expression which could warrant such an assertion. It might be that, in hot youth, ardent men had uttered sentiments which their maturer judgment condemned; and it was contrary to the dignity and order of the House to make such charges in that loose way, and they ought not to have been made, for he ventured to think that they were entirely groundless. Frequent references had also been made during the discussion, by which it had been attempted to show that there was a parallel between this case and that of Catholic Emancipation and the admission of Mr. O'Connell to that House. In the most emphatic manner possible, he wished to protest against any such supposition. Catholic Emancipation was the subject of discussion for a period of over 60 years; it was advocated long before the Union, and was the subject of Cabinet consideration before the Union, with some of the ablest and wisest in the land—the late John Keogh, one of the truest patriots of his time, the late Drs. Troy, Hussey, &c. It was no secret, moreover, to tell that it was part of the Union compact, which, unfortunately, never was kept, that Emancipation should be granted; the great influence that the Catholic popular Party exercised in favour of the Union was because of the promises held out to them that the Union would be followed by Catholic Emancipation. But it was not so generally known that Catholic Emancipation was strongly pressed upon the King after the Union; and though it was delayed until the time of O'Connell, Lord Castlereagh had left it on record as his opinion, that if Pitt, although he resigned upon that question mainly, had brought more direct and urgent pressure to bear upon the King, that just claim must have been granted at the time of the Union. References had been also made to the admission of Jews; but the cases of O'Connell and the Jewish Emancipation were not parallel to the present case, for neither O'Connell nor the Jewish Members ever condescended to mask their opinions. One radical difference between these instances and the case of Mr. Bradlaugh was that Mr. O'Connell and the Jews were prepared to sacrifice everything rather than stoop to the meanness and the profanity of taking an Oath which would have no binding effect upon their consciences. From the moment that Bradlaugh volunteered to take the Oath, after having declined to take it as conveying to him no meaning or binding words, he lost all right to be a fit associate of the Members of that House. It was said that Mr. Bradlaugh represented a principle. He (Dr. Lyons) did think that in the magnificent oration of the Prime Minister, when he held up before their minds great philosophical conclusions, they would have been told that crowds of Atheists were waiting for admission into that House; and the case was enveloped in a cloud of reasoning, comparing it with that of the Catholics and Jews seeking Emancipation; but the cloud cleared away, and all that remained was a single individual. Who was this individual who decked himself out in philosophical trappings, who strutted and swelled as if he were worthy to represent the Porch, or to haunt the Groves of Academus? Even the Shades of Epicurus would rise to repudiate him from his "herd." Surely the land of Bacon, of Paley, and of Bentham would reject him. The whole history of the case was unfortunate, lamentable, and discreditable. Through it works of Mr. Bradlaugh that had, unfortunately, become too well known had been brought further into prominent notice, debasing and corrupting the mind of the country. The crisis which the question had now reached was the result of the timidity of the Government. If they had openly and boldly grappled with the case of Mr. Bradlaugh at the first, the present difficulty would never have arisen. He (Dr. Lyons) had often before said that it was a great misfortune to the Liberal Party to have to deal with such a question; but they had missed the only true way of dealing with it—namely, to have at once fallen back on the strong common sense of the House and the country, which abhorred the man and his vile practices and pretensions, and, though tolerant to the full, revolted at all that gave a shock to religion and morality. If hon. Gentlemen opposite had to deal with the question, they, also, would have found it a trouble and a misfortune. The case had been nothing but a misfortune and a trouble to the present Government, and they had not done with it even now, for it would find an echo and form a subject for the denunciation of the Liberal Party on many an occasion hereafter. The feeling of the country was undoubtedly one of religious toleration; but the Empire also felt the great importance of religion as the essence of its Constitutional being. Those distinguished men who devoted themselves to philosophical studies and abstract science, and who, unfortunately, abandoned religion, would not condescend to come into that House under an Oath or an Affirmation in which they did not believe. But, by the act of going to the Table and mumbling the words of the Oath, Mr. Bradlaugh had scandalized the House, and for ever lost all claim to respect in the House and out of it.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

DR. LYONS, resuming, said, that the present day, when there was more than usual risk—and instances were but too common—of weak minds departing from the rules of morality, was not the time to weaken the foundations of rectitude and justice; and he hoped that religion would long remain the acknowledged foundation of law and morals in the Empire. He (Dr. Lyons) felt great reluctance in making allusion, in that House or elsewhere, to utterances that fell from the Judicial Bench. But the higher his respect for the majesty of the law and the Judicial Ermine, the more deeply he felt the necessity of protesting against the opinions laid down recently by the Lord Chief Justice. He believed their gravity, and the consequences likely to flow from them, were not immediately measurable. But when it was stated that Christianity was no longer the law of the land, he begged emphatically, in and out of the House, to protest against this novel doctrine, so far-reaching and so fatal in its consequences. Irish Statute Law would be found explicit on the subject. In the first Parliament of Charles II. the Scotch Houses passed a stringent Act against the crime of blasphemy. A further Act was passed in Scotland, under William III., against blasphemy, and both Acts enjoined a death penalty. The Parliament of England, in the latter Reign, passed a like Act, almost contemporaneously; and this was repealed in part, but confirmed in principle, in the Reign of George III. The Crown of these Realms was, wisely or not, strictly limited in a Protestant Succession. The marriage of the Sovereign was by law limited to a Protestant. The religion of the Viceroy of Ireland was by law strictly defined, and so was that of the Lord Chancellor of Ireland until a very recent date. In the administration of the Coronation Oath, the Archbishop or Bishop was, to this day, directed by Act of Parliament to say to the Sovereign—

> "Will you, to the utmost of your power, maintain the laws of God, the true profession of the Gospel, and the Protestant religion established by the law?"

The King or Queen shall lay hands on the Holy Gospels and say—"So help me God," and then shall kiss the Book. He (Dr. Lyons) could not but see that, in thus taking security at that most solemn moment of entry on the duties of Office from the Head of the Realm, the State was, by and through its Head, and by its own most deliberate act, through its constituted authorities, endorsing, to the fullest extent possible, the essentially religious fabric of the Constitution. Till the Act of William III. was repealed, and other and new religious ceremonials were appointed for the Head of the State, he could not yield up his reason to the dictate of any official, however highly placed, that Christianity was not still part and parcel of both the Common Law and the Statute Law of the land. He could have but one consolation in seeing this important measure pass from this House to a higher Place, and that was that it would afford a full opportunity to noble and learned Lords to deal in an adequate manner with this most vital and important Constitutional principle, now, for the first time in the history of this country, called into question, and with, as he believed, such awful issues at stake. He could have no doubt as to the result, and that Christianity would be unequivocally declared to be the law of the land. He ventured to remind the House that even by the Viceroys of Canada, of India, and of Ireland, as by the great Law Officers, down to the holders of various positions throughout the country, an Oath was taken on accession to Office. He had always felt great regret at being unable to support the Government through the various steps of this controversy; but the feeling of the country against the admission of Mr. Bradlaugh to the House was rising higher and higher, and he believed it would rise higher still. He knew, from personal observation, that the feeling in Ireland was of the most intense character. From one end of the country to the other there was but one opinion; and not only on principle did he oppose the Bill himself, but he also seriously believed it would be impossible for any Representative to stand on the hustings in any part of Ireland after supporting the measure. An illustrious correspondent, fully competent to represent English opinion, writes—

> "The feeling of the country has been steadily rising against it, for its effect will be to remove our Commonwealth from its foundation in the Natural and Divine Law to the bottomless pit of negation."

Were they to face the danger of un-Christianizing the country for the sake of admitting Mr. Bradlaugh to the House? It was said—"You may as well admit him, for the next Parliament will;" but that was no argument why they should support the Bill, and he challenged the assertion. Were they to suppose that, when they had passed away, the waters of Lethe would wash away every trace of evidence of the scene which was enacted by Mr. Bradlaugh last Session at that Table? He was not prepared to face what a distinguished and statesmanlike mind had designated a "bottomless pit of negation," involving the whole nation in chaos, with Mr. Bradlaugh presiding over the ruins of all that they had hitherto revered and cherished. With these observations, he begged to offer his strongest protest against the Bill.

MR. AKERS-DOUGLAS said, he was glad to find an hon. Member who usually supported Her Majesty's Government exercising his conscientious and independent opinion, although in an opposite direction to the interests of his Party. He (Mr. Akers-Douglas) protested against the measure, as having been introduced in deference to the intimidation of a mob outside the House, and because it was against the opinion of the country. The Prime Minister, knowing the feeling of the country, ought not to have attempted to force the Bill on Parliament. If he was determined to bring it in, he should have taken the opinion of the constituencies upon it; and if the right hon. Gentleman had done that they would never again have heard of the Bill, and he hoped that the majority of the House would pause before affirming a proposal of so pernicious a character. There was no analogy whatever between the Catholic Emancipation Act and the measure removing the disabilities of Jews and this Bill. These effected an alteration of the law, for the sake of those who had religious scruples against the existing Oath; this sought to alter the law in order to enable a man who had no conscientious scruples of any kind to make an Affirmation. These were questions between various forms of religion; this was a question between religion and irreligion. The Bill could not be divorced from the circumstances which led to its introduction; and he ventured to predict that the taint of Atheism and the odour of blasphemy would ever hang round it. An attempt had been made to meet the scruples of conscience of some Liberal Members by removing the retrospective character of the Bill; but he did not see what difference it would make whether it was prospective or retrospective; it would not alter its character, for its object and its result would still remain the same. If hon. Members opposite would make up their minds to vote according to their consciences, and not according to the bidding of their Whip, they would save themselves afterwards many unfortunate recollections, and be able to say that they had done their best to maintain religious feeling in the House. The Prime Minister might attempt to disguise it; but it would always remain, in the eyes of the country, a Bradlaugh Relief Bill. He believed the Government would be only too glad to get rid of it, provided, at the same, they could get rid of Mr. Bradlaugh. Those who supported the Bill did so, not because the Bill was right, but because they were afraid it would be made a question of confidence; and he would urge those hon. Members not to sacrifice their principles to the interests of their Party.

MR. BELLINGHAM said, he wished to protest, as a Representative of an Irish constituency and as a Catholic, in the strongest way he could against the Bill; and he confessed that, in the first place, he could not believe in the sincerity of Her Majesty's Government in bringing it forward; and he charged them with a deliberate attempt to throw dust in the eyes of the nation by pretending that this was a Bill drafted on the same lines as those that had gone before for the removal of religious disabilities. Some time ago he had asked the Prime Minister whether the Government would remove all religious disabilities—such disabilities, for instance, as prevented the Sovereign or the Lord Chancellor of England being a Catholic. That, the Prime Minister said, they were not prepared to do; and he (Mr. Bellingham) should say that, in putting the question, he did not anticipate any other answer. He was not advocating the removal of these tests at the present moment, though he regarded them as fallacious and unnecessary. He brought the matter forward merely to test the *bona fides* of Her Majesty's Government, and to ascertain whether the real object of Ministers was to get rid of all religious disabilities, or simply an attempt to extricate themselves from a difficult and embarrassing position. The Government were insincere, and stood before the nation in the unenviable position of avowed aiders and abettors of Atheism. If the Sovereign of this country embraced the Catholic faith, he or she would at once be disqualified from ruling, and no Catholic could hold the Office of Lord Chancellor. Yet, although the Government were doing all they could for Atheists, they would not move a finger to relieve real religious disabilities. He did not, as he had said before, bring those instances forward to advocate the abolition of tests, but simply and solely to show the insincerity of the Government in this matter; and, for himself, he would say that, even if these tests were abolished, which he thought ought to be removed, he should still vote against the Bill. He felt sure that nine out of every ten Catholics in the country would prefer that those disabilities should continue, and that there should be even backward legislation of a penal character, than that this Affirmation Bill should become law. He did not see himself how an Atheist could affirm any more than he could take the Oath, because he believed in nothing superior to himself, and an Affirmation would be devoid of all conscientious and binding effect. The principle of substituting an Affirmation for the Oath seemed to him exactly like saying to the Almighty—"We are independent of you, and don't want you any more;" and, therefore, to advocate this Bill was, to his mind, the same thing as to call for open impiety and contempt of God. If the law was better than the people, as it ought to be, it would tend to consolidate the commonwealth; but if it was worse than the people, as it would inevitably be, if the Bill passed, it would tend to disintegrate and demoralize the people. The question before the House was not a question at all of the abolition of religious tests; he repudiated that argument entirely; it was one simply and solely of a revolution and the abolition of Oaths *in toto.* What would the nation say to it? It would say, and say rightly, there was no analogy between the Catholic Question and this. The Ministry would not dare go to the country on this question. If, however, the Government were determined to effect this change, why need it be effected with such rapidity? It was beyond doubt that the country was against this measure. What, then, was urging the Government? The two Members for Northampton, the complete and incomplete Members, and the extreme Radical section whom the Prime Minister did not wish to offend. He (Mr. Bellingham) ventured, however, to prophesy that they would not conciliate the mob who clamoured for the Bill; and they would find their case like that of the woman in the fable who sacrificed her offspring to the wolves without avail. He would appeal to any hon. Members opposite, who thought more of religion than politics, to vote against the measure; and he would appeal to the few Catholic Members who were, apparently, afraid to offend the susceptibility of the Prime Minister, to remember how serious a thing it would be for them if they aided the passing of this iniquitous Bill, which was generally disliked by the people. He had, at least, the satisfaction of knowing that in his present action he had the support of the entire constituency he represented.

VISCOUNT LYMINGTON said, that, from the first, he had always opposed any attempt which would facilitate the entrance of Mr. Bradlaugh into that House through the agency of the Oath. He even voted against the question of Mr. Bradlaugh being allowed to take the Oath being referred to a Select Committee; because he viewed it as a matter of conscience and religious feeling, which could not be relegated to any Committee, but in regard to which each Member must decide according to his own sense of right and propriety. But he considered that the present Bill presented the question in an entirely different aspect, because they were not asked to be parties to an act which might appear to them to savour of blasphemy or profanation; but the question was put to them whether, considering the whole question, it was wise, it was right that the House should take steps by which Mr. Bradlaugh should be admitted to that House legally and in a proper manner. For that reason he should give his support to the Bill. The Parliamentary history of the question seemed to him of slight import. If this were a Bill which, in his mind, would really prejudice the interests of Christianity, he would oppose it by every means in his power, whatever attitude the Government might have taken up upon the subject, and should make use of all the resources of Parliamentary procedure in order to defeat it; but he was not of that opinion, and he protested against the use, upon a question of such a delicate character, of the ordinary weapons of Party warfare, which appeared to him calculated to vulgarize and lower the cause, and to destroy those high interests of religion, of which the opponents of this Bill had put themselves forward as the special and infallible champions. For the real interests of religion he did not entertain any such misapprehension; they must be of a very weakly and unstable growth, if they depended for their vitality upon the existence of a particular politico-religious formula. Indeed, he would go farther, and take a stronger view than the Government, and assert that, in his opinion, it would, on the whole, be wise and expedient to abolish the Oath altogether, which, as hastily administered in the House in a new Parliament to 40 Members at once, had never impressed him as being attended with any strong sense of religious obligation. If the Oath had a sacred signification—and he maintained that the act which the present custom entailed of kissing the Testament gave to the Oath a distinct recognition of Christianity—it appeared to him that the really religious view would be to insist upon its only being taken by those who could take it in its highest interpretation. Besides, to permit some to affirm and some to take the Oath would be to divide into two camps the Atheists and the Christians in a very undesirable manner. There was another argument in favour of the total abolition of the Oath—that it would prevent in the future what might happen—the spectacle of Members coming forward in the future and electing to affirm, because they declined to take the Oath. He maintained that the blank Atheism of Mr. Bradlaugh was not the Atheism that was most to be feared. Atheism, advocated as it had been by Mr. Bradlaugh, was not likely to attract much support; indeed, it was much more likely to offend. The real danger to Christianity rather lay in the subtler forms of indistinct Theism which now existed, and which treated religion as a purely abstract matter—a question for intellectual research, and not a Divine principle which controlled the conduct of our present and the interests of a future life. He could not deny that Mr. Bradlaugh, by the letter which he wrote to *The Times*, had compelled the House to notice his religious opinions, and very properly to forbid his taking the Oath, which would have been at once an act of blasphemy, and, from a civil point of view, highly objectionable, as tending to degrade and discredit the position of all Oaths, which, so long as they existed, Parliament was bound to see respected. He (Viscount Lymington) was told that, in the division which would take place on Thursday, the Bill would receive the almost unanimous opposition of the Irish Members. He wished to put it to the House, and to the Irish Members, what was the ground upon which they were going to oppose the admission of Mr. Bradlaugh? [An hon. MEMBER: Atheism.] Yes; it was Atheism. But were they not going to oppose Mr. Bradlaugh on the ground of his character, of his writings, and of utterances—[Mr. HARRINGTON: Absence of character.]—and also on account of what he had published and spoken outside that House? He (Viscount Lymington) maintained that it was a very dangerous doctrine, as regarded political freedom and the very principles of popular and Constitutional Government, to say that that House had the power to select, according to the claims of character, as to who should enter it, and to interfere in that respect with the rights of legally elected Members and their constituents. The Irish Members should remember that the principle might be extended, and that similar objections might be made in the future against them on account of their political writings and utterances; and he would ask whether some Irish Members had not made political utterances which were wanting in loyalty to the Constitution of the country? These utterances had never been denied; and it seemed equally reasonable that a Conservative Member should interpose when those Members came up to swear allegiance to the Crown and Constitution, for the Oath implied, not only a religious, but a civil obligation. He was anxious to hear from hon. Members representing popular constituencies in Ireland how, by the division which would shortly take place, they were going to justify their adoption of a principle which, if carried out, might seriously cripple the liberties of any country? He thoroughly sympathized with the feelings of disgust which Mr. Bradlaugh had aroused among all religious and respectable citizens; but he wished to impress on the House that, in the determination of this question, they should be guided, not by personal feelings against a particular man, but rather by their views of religion itself, and of what were really the true and permanent interests of the State; and, above all, by the only sound doctrine of political freedom and Constitutional life—that so long as the proposal of the Government did not involve any act on the part of Mr. Bradlaugh which could savour of blasphemy or impropriety. A majority of the House, while it doubtless had the power, had not the right to interfere, or in any way to prejudice the choice of a constituency, or to question the language or conduct of any man, so long as that language or conduct had not disqualified him by the laws of the land.

MR. EDWARD CLARKE said, that the speech of the noble Viscount who had just spoken (Viscount Lymington) was remarkable for the painful efforts he made to justify the change of front on this question. The noble Viscount avowed that he viewed with repugnance and aversion the character of Mr. Bradlaugh, and that he felt strongly with regard to the mischief his teachings were likely to produce; and he said that, through the whole controversy, he had opposed the proposal that Mr. Bradlaugh should be allowed to take the Oath. Now, the noble Viscount ought to justify the course he was going to take, the immediate result of which would be to introduce into the House of Commons that one person whose teachings and character he regarded with so much aversion and disgust. In attempting to justify that course, the noble Viscount, following the example of the Prime Minister, drew a distinction between the Atheism of Mr. Bradlaugh and that more subtle form which was unfortunately fashionable, he believed, at both our great Universities, and which had invaded the current of public thought, and he went on to say that they must pass the Bill in order to terminate a religious controversy which was doing harm to religion so long as it existed. The two arguments answered each other. He (Mr. Clarke) believed, as the Prime Minister had remarked, that there was a subtler form of Atheism than that which was illustrated by Mr. Bradlaugh, and which would require a different man to Mr. Bradlaugh to support it. It was because Mr. Bradlaugh had associated with his opinions on religion opinions on morality that were loathsome to the mass of the people, that he (Mr. Clarke) believed this controversy would do no harm to religion so long as it was associated as it had been with Mr. Bradlaugh. The sitting Member for Northampton (Mr. Labouchere) had told the House, in his usual tone of airy superiority, that Mr. Bradlaugh and his friends were not greatly interested in the fortunes of this Bill; that they had been contending for a Constitutional right which was ignored by this Bill; and that the Bill itself was very different from what they wished. Hon. Members on the other side also complained that the Opposition associated this Bill with the name of Mr. Bradlaugh, and that they had charged the Government with having systematically assisted him into the House. The association was inevitable, and the charge true, to the great damage of the Liberal Party, inasmuch as that one person alone would benefit by the measure. The Bill would not have been brought forward at all had it not been for Mr. Bradlaugh; and he (Mr. Clarke) believed it was only brought forward on account of the disarrangement of the prospects of the Session, and not simply because the Government had been influenced by threats at the door of the House; and when the Government found the pressure so strong that the Leader of the House, night after night, got up and bewailed the waste of time in the despatch of Public Business, how was it possible to dissociate the Bill from the name of Mr. Bradlaugh, or all the filthy associations that surrounded his name? He could, therefore, quite understand the endeavour of the Government to dissociate the Bill from the name of Bradlaugh. The Bill, they said, was to be only of a prospective character, and Mr. Bradlaugh would have to try his fortune once more at Northampton at a future election; but that was a poor and futile attempt to sever themselves from Mr. Bradlaugh. It was a despicable movement, and a ruse through which the country saw perfectly. In so acting, the Government had surrendered the chief argument before the country in favour of this Bill—the only argument which was beginning to move and awaken the country. A few months ago, Constitutional Rights Associations were springing up, founded on this proposition—that a Member once elected to Parliament, and not at the time of his election subject to any disqualification by law, was entitled to speak and vote in that House on behalf of those who sent him there. There had been two occasions on which the Government had endeavoured, by clever Resolutions, to prevent the House from excluding Mr. Bradlaugh from his seat; and on the 26th of April, 1881, when an attempt was made from that side of the House, and which was successful, to prevent Mr. Bradlaugh from taking the Oath and his seat, an Amendment was moved by the hon. and learned Member for Christchurch (Mr. Davey), that when a Member, duly elected, presented himself at the Table, and was proceeding to comply with the forms prescribed by the House and to take the Oath, that House would not, on grounds extraneous to the transaction, object to his taking the Oath. From the singular phrase employed, he (Mr. Clarke) believed that Amendment must have come from the hands of the Minister who, some time ago, described a certain transaction in Ireland as neither a bargain nor a Treaty. Striking out the characteristic phrase, which was the key to its authorship, that Amendment embodied the contention of the right hon. Gentleman the late Chancellor of the Duchy of Lancaster (Mr. John Bright), and was the foundation of those Constitutional Rights Associations that were springing up. There was something in that contention. It was capable of complete refutation; but it afforded a ground for endeavouring to secure for Mr. Bradlaugh his right to a seat in that House. The Government had not the courage of their opinions; for, after having brought forward that proposition in 1881, they now brought in a Bill which, so far from recognizing Mr Bradlaugh's right to a seat in that House, proceeded on the very ground that he had no such right. In the remarkable speech of the Prime Minister, which, in the magnificence of its diction and the dignity of its utterance, was worthy of the greatest orator in that House, the right hon. Gentleman entered on an explanation of the circumstances under which the Bill had been introduced; but, unfortunately, it turned out that the explanation did not fit with the facts. The Government, in introducing the Bill, had surrendered the one Constitutional principle which alone could excuse the action upon which they formerly supported Mr. Bradlaugh, and they had also contravened another great principle. In the first place, the Bill only dealt with Parliamentary Oaths. There could be no doubt that it had always been the law of this country that everyone should, before he was appointed to any important position in the State, or admitted to the Councils of the State, take an Oath. As a matter of fact, there was no important position in the State in which this obligation was excluded. The Crown was not exempt; and there was not a Judge upon the Bench, not a Privy Councillor, not a Judge in the humblest of Her Majesty's Courts, that was not called upon to take the Oath. He could understand a proposal to abolish all Oaths; that would be a logical position; but the Prime Minister had directly said he was not in favour of the abolition of Oaths in general. If there were ever words that sought to establish the sanctity of an Oath, they were the words of the Prime Minister. What right had Members of the Legislature to exempt themselves from the obligations that were imposed upon everyone filling a public post? Surely the duty of a Privy Councillor, or a magistrate of Quarter Sessions, or the duties of jurors trying civil cases, were not more important than the duties of those who sat in that House to consult upon public matters, and to pass laws. With what decency, then, could Parliament exempt its Members, who undertook such important functions, from that obligation, which, from time immemorial, had sanctified the control and discharge of all public duties in all classes of the community? That was one of the Constitutional privileges invaded by this Bill. But there was another important consideration. That House was supposed to be a Representative Assembly, which only acquired its authority from those who sent it here. The Party opposite were constantly enforcing that maxim. They said they wanted a Reform Bill, because that House did not adequately represent the opinions of the people. They were told that next Session, or the Session after, the Government were going to propose a change of the electoral system, which would lead to a clearer expression of the opinions of the country. Yet the Minister who led the Liberal Party, which insisted on the Representative character of that Assembly, was deliberately asking the House to act in contradiction of the desire of all classes of the people. But he (Mr. Clarke) did not rely solely on the Petitions which had been presented, although a measure against which 600,000 signatures had been appended to Petitions was one about which any Government would do well to hesitate. The Prime Minister, the other night, made some curious observations with regard to the elections which had taken place since that question came before the House. He (Mr. Clarke) did not know whether the right hon. Gentleman meant to encourage his supporters; but his remarks were, at all events, candid. The Prime Minister told his Party that it had been the privilege of the Liberal Party to vote in favour of liberty of conscience, and that they were very likely to suffer if they voted for the Bill. It was, however, hardly consoling to Liberal Members to be persuaded to vote for a Bill which they regarded as objectionable, with the probable consequence of losing their seats for so doing. Then, quite apart from the Petitions, the Prime Minister had admitted that in every election since the Bradlaugh question came to the front the Liberal Party had lost votes, and the Conservative Party had gained votes. That was perfectly true. There could be no doubt that, in the event of an appeal to the country, the Conservative Party would not lose a single vote, while the Liberals would inevitably lose votes. How did they like that prospect? Did the Government recollect that it was estimated of those who voted at the last General Election, that if 5 per cent, or one in 20, of the votes of all the constituencies were transferred from the Liberal to the Conservative side, the Tory Party would have had a majority of 100? An inspection of the poll books would show that to be the case. It was not likely that the question would be got out of the way and forgotten before the General Election. Even if the Bill passed the second reading, there would be a good deal to do to it before it left the House of Commons. If it ever got into Committee, he should be prepared to suggest that Atheists, in coming into the House, should not be allowed the unrestricted choice of making an Affirmation or taking the Oath. It was urged again and again that the Atheist should be allowed to come to the House of Commons and affirm, because he was allowed to do so in a Court of Justice in the witness-box. The answer to that was two-fold. The first was, that they wanted his testimony for the sake of society in general. Did that apply to the presence of Atheists in that House? No one could state that a man would make a better Member of Parliament for having an infusion of Atheism in his constitution. Then the House each day began by invoking God as the Author of all wisdom, counsel, and understanding. Would, then, one or a dozen Atheists make the House a safer body to whom to intrust the legislation of the country? Again, in the case of witnesses, when an Atheist went into the witness-box, it was required that the Judge should be satisfied that he was a man whose conscience would not be bound by the form of an Oath. But there was no analogous proceeding proposed in this Bill. If Atheists were admitted into the House, let them be treated in that way; and if the Bill ever reached Committee, he should propose an Amendment providing that only the man who at the Table of the House declared the Oath would not be binding on his conscience should be allowed to make an Affirmation. They would then see whether the Government cared to pass the Bill. An avowed Atheist would never sit for any constituency again—unless it was the constituency of Northampton. But, fortunately, that House was not the only Legislative Body in the country, and there was some security that the people of the country would be directly consulted before the Bill was allowed to pass. The Prime Minister had acknowledged that the Bill was opposed to the consciences of the people. They had all heard with admiration the speech of the noble Lord the Member for Woodstock (Lord Randolph Churchill). All would acknowledge, after reading that speech, that the Conservative Party had fought the fight well. He (Mr. Clarke) had only one fault to find with the eloquent peroration of that speech, and that was that it was not sufficiently hopeful of the future of the Tory Party. Hon. Members opposite desired to satisfy their Party obligations, in the hope that the Bill would soon be forgotten. But nine out of every 10 men in the country were opposed to the Bill, and it would not be forgotten. If the second reading was passed by a small majority, he doubted whether the Government would care to force the Bill through the House. Much time would be occupied; but he rather thought that it was an advantage for the Government to have the Bill delayed, as it was not at all clear whether their great measures—the Municipal Government Bill and the Tenants' Compensation Bill—were in a forward enough state to be presented to Parliament. Then they would be able to say to the country that the cause of a barren Session was the opposition of the country to that Bill. He did not think, however, they would care to say much about the Bill to the constituencies. He had noticed that in recent Liberal demonstrations—in that recently held in his own borough and presided over by the noble Earl the Master of the Buckhounds (the Earl of Cork), and in one held not long ago at Wolverhampton—not a word had been said about the Affirmation Bill. The Bill had been accepted under pressure, and the Prime Minister must have felt it to be an ignoble task that he had to defend it in that House. They knew that there were differences in the Cabinet about the future of religious teaching in the country. The Prime Minister had owed no small part of his power and authority to the fact that, while he had in politics been the ardent supporter of Radical opinions, he had throughout his life advocated the expression and maintenance of religious feeling. Some of the Colleagues of the right hon. Gentleman, however, held very different views. He (Mr. Clarke) feared that already the system of education adopted in 1871 had done considerable mischief to the cause of religion. When they blurred and rendered indistinct the lines which defined religious dogma, they went a great way towards weakening the hold of religion on the people. But one Member of the Cabinet had avowed that he hoped to carry the process further, and to exclude religious teaching altogether from the schools. The present measure could not be dissociated, on the one hand, from the name of Mr. Bradlaugh; nor, on the other, from those teachings which pointed to a continued and increased discouragement of religious teaching in this country. There was no need to denounce Mr. Bradlaugh, or to use hard words about him. They knew that he was an avowed Atheist, and that he conducted a periodical which advocated Atheistical, Republican, and Malthusian principles. Such was the teaching of Mr. Bradlaugh, and they knew that he had been convicted by a jury of his countrymen for publishing an obscene book, and that he was only saved from the punishment he so richly deserved by a technical flaw in the indictment. These were facts which could be stated, without any attack being made or any hard words being used. In the face of these facts, how could the Government hope to dissociate the Bill from the name of Mr. Bradlaugh, or to disguise from the people the mischievous effects of this legislation? And how could they hope to justify themselves, when they might be driven to a General Election, and when they came face to face with the constituents, who, in every way which was open to them, had clearly expressed their opinions on this subject, and who had heard the Prime Minister declare that, in spite of their avowed opinions, he was going against their will to force this legislation upon the House and the country?

MR. GUY DAWNAY said, he did not feel that he should be doing his duty to those he represented, unless he raised his voice in protest against the measure, which was not only wholly unnecessary, if not mischievous, in its pretended object as a general measure; but which, in the attempt which had been made to conceal its real object—namely, the admission of Mr. Bradlaugh—was a transparent and a shameless sham. He could not believe that there was a single Member of the House, or a single intelligent man in the country, who could honestly say that he believed that, except to suit the circumstances of Mr. Bradlaugh's individual case, and to still the clamour of his small mob of ignorant sympathizers, any such measure would ever have been brought forward by any Christian Government. The Government had not, even in the speech of the Prime Minister, answered the main objection which had been urged by the Opposition against the Bill; their tactics had, in fact, been those which were known among military men as skirmishing in the rear. With much of the rattle and the roar of a real attack, they had contented themselves with brandishing aloft the banner of the toleration of irreligion, amid somewhat premature shouts of argumentative victory. The surrender of the allegiance to the Deity would inevitably be followed by the surrender of allegiance to the Throne. Almost precisely the same arguments would apply, and would undoubtedly be used. Some Socialist Representative would be elected to the House, and, with Mr. Bradlaugh's example before him, would refuse to make that declaration. A perverted constituency would insist on returning him again and again. There would be some manufactured agitation. Some Chancellor of the Duchy might again be found to point out that the Socialistic sympathizers then demonstrating in their dozens in Palace Yard would soon throng in their thousands, if deprived of what they considered their rights. Such arguments would have their effect on a timorous Government, and the Minister would say—"You cannot deprive a constituency of the services of a Representative who has been duly elected. The Government exists for the good of, and by the will of, the people, and a constituency has a right to express its own ideas as to the best form of Government. It will be better in the circumstances to abolish the declaration of allegiance altogether, or make it a mere voluntary act." As surely as night followed day were the present Government doing their utmost to bring about the time when that proposal would be not only a political possibility, but a political fact. The demand of Atheists to affirm was not made from any tenderness of conscience, but because they wanted to flaunt their Atheism in the face of the House of Commons. The hon. and learned Gentleman the Attorney General attempted an impossible task, when he tried to include in the toleration of any form of religion, the toleration of the absence of all religion. That the position was untenable might be illustrated, with regard to dress, by supposing that, owing to the absence of any restriction, an hon. Member might discard modern conventionalities, and insist on his right to enter the House as a Gymnosophist. The state of mind of the Atheist debarred him from entering into a solemn obligation; but the objection was not based on the Atheistic ledge, narrow or immense. It was based on the gulf which separated the Atheism they could take no cognizance of from the Atheism avowed publicly at the Table of the House. No reasons had been advanced by the Government why they should do away with the recognition of God in their Parliamentary Oath. Her Majesty's Ministers could not slur over the plain fact that, if they surrendered this Oath, they did it with the single object of admitting a professed and professional Atheist, who, in forcing himself on that House, would outrage the deep religious feelings of the country. The Oath was not a test of any form of religious belief, and it excluded none who would openly recognize the existence of a God. It was the wanton proclamation of Atheism by Mr. Bradlaugh that had given the House the right to judge, convict, and exclude him. The Opposition were taunted with drawing a line which it was said would include Voltaire, Diderôt, Robespierre, and Gibbon; but, looking to the times they lived in, he refused to judge them. The House could not exclude Atheists; but it could as yet exclude Atheists as Atheists. There might be unfortunate individuals who doubted, who denied in their hearts the existence of a God. That question lay between themselves and the God whom they denied. With their want of faith the House had no concern—of that want of faith it had no knowledge; but here they were asked to admit a man whose unbelief, avowed and gloried in, placed him as a mental monstrosity in a different category from his fellow-creatures. He isolated himself from fellowship in a creation he denied; his boasted want of belief constituted a sort of moral insanity—of religious impotence—which removed him altogether from the sphere in which the rest of mankind had their being. The Prime Minister said he had no fear of Atheism; but had any man, to whom God had given such power and such gifts, the right, by such words, to abdicate that power, and to refuse the service of those gifts? Had the right hon. Gentleman the right to say he had no fear of Atheism, when across the narrow seas stood out in dark relief such an example and such a warning of the fatal effects of Governmental godlessness? It was unjust to associate the blind gropings after truth of Lucretius with the spiritual Nihilism of modern Atheism. The philosophy of Lucretius was the reverent revolt of a superior mind against the debasing superstition which materialized and degraded the Godhead into mere immortal exaggerations of human vices and human passions; and it had nothing in common with the blank impious denial of the educated Atheism of the present age. With regard to the remarks of the Prime Minister as to the line which had been drawn by the opponents of the Bill in regard to responsibilities to the Deity, he (Mr. Dawnay) denied emphatically the conclusions of the Prime Minister, and insisted that the words "So help me God" did recognize and indicate not only the existence of a Deity, but man's responsibility to Him; The words "So help me God" did, in the clearest and most distinct manner, involve and infer—and he challenged the right hon. Gentleman, not by one motion of dissent, to contradict his assertion—a denial of the hopeless doctrine that the Divine Nature—

> "Sejuncta a nostris rebus, semotaque longe,
> Nec bene promeritis capitur, nec tangitur irâ."

That, which the right hon. Gentleman denied to them, was the very root and base of their contention. It was that *tangitur irâ* which Mr. Bradlaugh had denied. He, no doubt, denied far more, but as regarded his attitude towards the Oath, it was that specific point which he denied. It was the belief in that *tangitur irâ* which enabled the Mahommedan, the Brahmin, and the Buddhist to pronounce in their fullest meaning the words "So help me God," and would enforce that adjuration on their consciences. With the denial of that belief, what virtue remained in the words "solemnly, truly, and sincerely?" The Atheists, for whom they were asked to legislate, were to be allowed to make a "solemn Affirmation." Why, the words were a mockery! What, he would ask, was the original and etymological meaning of the word "solemn?" It meant "something observed once a year with religious ceremonies—religiously grave, religiously regular." The idea of religion was as inherent in the word "solemnity" as in the English word "piety;" and, if divested of that idea as a necessary complement of its gravity, a "solemn Affirmation" became a term altogether devoid of meaning, absolutely illogical and absurd. He supposed the Government would define the word "solemn" with the same convenient elasticity which they had already used with regard to another term which had served them well—the word Suzerainty; but the real point was not to be obscured by subterfuge. The question for the House was, whether it would assent to any formula of words which would accept the signature of Mr. Bradlaugh on the Roll of Members, whilst, with the same stroke of the pen, he would erase the name of God from the Oath. It had been asked why no mention was made in the Queen's Speech of the Government intention to introduce this Bill. The answer was not far to seek. Not even the Government, who had introduced this measure, would dare to do a thing so blasphemous as to include in that Speech a measure designed to allow an Atheist to come to the Table and parade his denial of a God, and then to conclude that Speech by calling down "now, as heretofore, the blessing of Almighty God upon their labours." Whether that blessing had followed their labours during the past three years he would leave others to decide. The right hon. Gentleman the Prime Minister had quoted some magnificent, but melancholy, lines of ancient poetry the other night; and he (Mr. Dawnay) would, in his turn, venture to remind the Government of one old line—

> "Discite justitiam moniti et non temnere
> Divos."

Let them disregard those warnings if they would succeed in passing this measure, if they could, and before three years were over they would find how thoroughly they had also succeeded in alienating the support of any man in the Kingdom who not only had a vote to give, but a conscience to direct that vote; how fully they had also succeeded in completing, by its alliance with Atheism, the condemnation and degradation of the name of Radicalism, and in calling down upon themselves, not the blessing of a long-suffering Heaven, but the almost universal execration of the country.

Mr. HORACE DAVEY said, that his hon. and learned Friend the Member for Plymouth (Mr. E. Clarke) had, in very severe tones, endeavoured to intimidate hon. Members on that (the Ministerial) side of the House from voting for this measure, by telling them, if they did, they would be sent about their business at the next General Election by an angry and infuriated people. He (Mr. Davey) did not anticipate any such result occurring; and, therefore, he did not feel particularly alarmed by the denunciation of his hon. and learned Friend. He would say more. Believing that this Bill was founded on the principle of true toleration—toleration of the opinions of others, because you expected that they would respect your own—he would rather lose his seat over and over again than for one moment be false to that principle. His hon. and learned Friend had a little overstated what fell from the Prime

Minister, when he said that the right hon. Gentleman admitted that the measure was opposed to the religious principles of large numbers of the people, and was proposed in violation of their will. What the right hon. Gentleman had really said was that it was opposed to the religious prejudices of the people. It was said that hon. Members on that (the Ministerial) side placed Nonconformists, Roman Catholics, and Jews in the same category as Atheists. That he denied. What they said was that there was a great family likeness between the arguments used in this case and those which were employed when it was proposed to admit Nonconformists, Roman Catholics, and Jews into the House. It was said, when it was proposed to admit Nonconformists, that if they did that they would destroy the Church of England and the Constitution of the country, of which the Church of England was a part. But, now, the friends of the Church of England declared that that Church was more strongly rooted in the affections of the people than ever. When Catholic Emancipation was proposed, they were told that the Protestant Constitution of the country would be destroyed if such a measure was passed. And yet the country remained as Protestant as before. When the admission of the Jews was in question, the House was told that the Christian character of the House of Commons was in peril; but he ventured to say that since Gentlemen professing the Jewish religion had entered that Assembly, nothing of the kind had occurred, and those hon. Members were not the least respected there. He had listened with pleasure to the extracts which the noble Lord the Member for Woodstock (Lord Randolph Churchill) read from the speeches of Mr. Disraeli on that subject—they always appeared to him (Mr. Davey) to be among the finest he had ever made—but he could not help remembering that the political ancestors of the noble Lord, to whom those eloquent speeches were addressed, voted against the cause which Mr. Disraeli supported. He suspected that if the noble Lord the Member for Woodstock had been a Member of Parliament 50 years ago, he would have voted against the cause which he now supported with so much enthusiasm; and he (Mr. Davey), in connection with the subject, was reminded of those who built the tombs of the Prophets whom their fathers had stoned. A great deal of misapprehension existed as to the scope of the Bill. Their opponents declared it was a measure for the admission of Atheists into Parliament. But that was a totally unfounded representation, for Atheists were already admitted; they were not prevented by law from taking the Oath. There was nothing to hinder an avowed Atheist from taking the Oath, as hon. Members opposite themselves admitted, provided he had not avowed his Atheism within the House itself. But how narrow a principle that was to maintain; and how untrue it was to say that the Bill was brought in for the purpose of permitting Atheists to enter the House, when they were already empowered to do so, provided they did not avow their Atheism within the walls of the House. The speeches of the hon. and learned Member for Launceston (Sir Hardinge Giffard) and of the noble Lord the Member for Woodstock, if they proved anything, proved too much. There was a great deal more to be said, from a purely legal point of view, in favour of excluding Jews from Parliament than there was for excluding Atheists, and the only logical conclusion to be drawn from the words of Lord Tenterden, quoted by the hon. and learned Member, and Lord Erskine, quoted by the noble Lord, was that if you were to exclude anyone, you must not only exclude Atheists, but all who did not profess the Christian religion. The hon. and learned Member for Launceston had forgotten to quote the context of the judicial decisions which he had read to the House. That context would show that the law operated as strongly against Socinians and other religious Bodies as it did against Atheism. He (Mr. Davey) saw no cogency in the argument derived from the Oath taken by Judges and other functionaries of State. Because that Oath was taken, there was no reason for imposing a fresh religious test. In fact, those who opposed the Bill, while they professed principles of religious toleration, were only ready to tolerate opinions which, in the main, agreed with their own. That was not toleration. The only basis for toleration was mutual respect. He respected his own opinions, and he expected others to do the like; and, therefore, he accorded respect to the convictions of others, however different they might be from his own. The right hon. Gentleman the Member for South

West Lancashire (Sir R. Assheton Cross) had characterized the respect shown by the Prime Minister to the opinion of the majority of the House, in the change made with respect to the retrospective character of the Bill, as a despicable trick. It was a strange thing thus to characterize a concession which involved no principle. He would venture to say that nothing could be more despicable or contemptible than to endeavour to influence religious prejudice, and to excite religious passion, with a view to serve political and Party purposes. He set as high a value as any man on the religious character of this country; but that character was not to be maintained by mere lip service, or by forcing every Member in that House to take the Oath, and invoke the name of the Almighty as a passport to the House. It was to be maintained by keeping up a high standard of honour, and of self-respect, and by the character of the people for justice and truth, and all those virtues which they were accustomed to associate with the religious character. It was, indeed, in his opinion, a question whether it was worth while to retain the Oath at all. Looking at the way in which Members at the beginning of a Parliament were allowed to take the Oath in batches, he had serious doubts whether it would not be better to abolish the Oath altogether, and substitute for it a simple Declaration. The object of the Bill was to prevent the profanation and desecration of the Oath; and, as they were not able to prevent the constituencies from electing Members to Parliament, who held peculiar religious beliefs, or no belief at all, then hon. Members opposite, if they had the courage of their opinions, should bring in a Bill to make Atheism a disqualification for admission to the House. To allow constituencies to elect men, irrespective of their belief in religion, and to compel them to take the Oath, or to stay outside, was a mockery; therefore, he supported the Bill, not because he approved of the choice of the people of Northampton, or of the opinions held by Mr. Bradlaugh, but because it was based on the lines of religious toleration, and would provide a remedy for a considerable difficulty. He held that the only safe and reliable ground for the House to rest upon was to respect the choice of a constituency which had elected a Gentleman duly qualified by law to represent them in the House of Commons. It was not by the personal qualifications of the individual immediately concerned that this Bill ought to be judged. It was an attempt to carry to its logical issue the Liberal legislation of former years, founded on the principle that diverse opinions on religious questions should form no disqualification for the performance of civil duties.

MR. O'DONNELL said, that all who had had the pleasure of listening to the hon. and learned Member for Christchurch (Mr. Davey) must have been very much impressed by his anxiety to avoid anything like inflammatory matter. He (Mr. O'Donnell) felt bound to bear his own humble testimony to the fact, that, from the beginning to the end of the hon. and learned Member's oration, there was nothing whatever, in the slightest degree, approaching matter of an inflammatory character. The hon. Member who addressed the House above the Gangway on that (the Opposition) side, the hon. Member for the North Riding of Yorkshire (Mr. Guy Dawnay), had treated the important question before the House in a most admirable manner, and the close reasoning of the hon. Member, and his exposure of the fallacies put forward in support of the Ministerial view, deserved, he (Mr. O'Donnell) thought, the warm recognition of all who had the pleasure of listening to him. He was afraid, however, that he could not quite coincide with the hon. Member in the expression of his confident conviction that, before very long, the popular opinion would declare itself on the side of those who exposed the assaults on revealed religion in that House. He was afraid that the way in which popular opinion would declare itself, would depend very much on the action of the leading classes and leading authorities in the Kingdom; because, if they looked beyond the boundaries of these Islands, they would see that the tendency of irreligious movements, when once commenced, was not to go back, but gradually to widen, and to grow stronger, and the hour of reaction did not arrive until a widespread, social devastation had taken place. There was one point, at any rate, on which he trusted they could feel confident, and with regard to which they could be inspired with a certain hope. He believed that the votes of hon. Members would disappoint the expectations of Her Majesty's Government. It was well to know that, in order to carry the Bill, the active concurrence of the other branch of the Legislature would be required; and, in his opinion, it would be difficult indeed to depend on any ground upon the resistance of the other House of Parliament, if it did not justify its existence upon a Bill of this description. He trusted that if this Bill should, by any misfortune, obtain a majority in that House, steps would be taken to provide that the country should be directly consulted upon this all-important question. He entirely agreed with hon. Members who had spoken on that side of the House, and he absolutely denied to the House and to the Government, under present circumstances, the power of initiating and carrying through such a vast and fundamental change in the Constitution of the Kingdom as was involved in this Bill. He had all along maintained the view that the Bill was above everything the creation of the genius of the Prime Minister himself. If he went outside the sphere of the Prime Minister's initiative influence, he could see no ground and no excuse for the introduction of such a measure. An attempt had been made to throw upon the opponents of the Bill the appearance of Mr. Bradlaugh as a Legislator in that House, and the responsibility for the sort of importance which had come to be attached to his proceedings. That he entirely denied. He stated, at the very commencement, when Mr. Bradlaugh undertook to affront the House, and attempted to make the House his accomplice in the profanation of the Oath, that if the House had been led by a Prime Minister capable of appreciating the gravity of the insult offered to the House and the Constitution, and willing to meet that insult in the spirit demanded by the occasion, then a few and manly words from that Representative of Her Majesty's Government would have given a cue to public opinion throughout the country, and the class, ignorant in many respects of the gravity of the situation, would never have become waverers in this important question, and the various classes of apologists of, and sympathizers with, the peculiar pretensions of the Elect of Northampton would never have taken the ground they had since ventured to take up. It seemed to him that, by some unfortunate fatality, the distinguished Christian Secular who led that House had been impelled to associate with the name and pretensions of Mr. Bradlaugh every species of attraction which could be gathered from a somewhat pell-mell collection of poetry, philosophy, history, and irrelevant references of all kinds. He had observed also that the Premier had expressed the opinion and the hope that this Affirmation Bill might put an end to the discussion of the subject. It was quite possible that if the Bill were treated with the firmness and with the resolution which were required—even in this eleventh hour, it was possible that the Bill summarily, resolutely, and by an overwhelming majority, rejected by the common sense of Parliament, would bring about the termination of the odious agitation which had been sent on foot for the last couple of years. But the Prime Minister and Her Majesty's Government were greatly mistaken if they imagined that the passing of the Affirmation Bill would put an end to the questions involved in it. Concessions of this character, on the contrary, to voluntary Atheism, had a tendency to provoke a demand for future concessions; and he wished to point out, although it might have escaped the attention of the Prime Minister, that Christianity had some convictions and some rights in this matter also. Her Majesty's Government were very much mistaken if they fancied that the Affirmation Bill, which threw open the alternative either to take an Oath in the name of God, or not to take it, would lead to the consequences apparently relied upon by the Prime Minister. With what conscience and with what feeling could a Christian come up to that Table, and take the name of God in a House which, by a deliberate vote, had sanctioned a sort of odious partition between God and Anti-Christ? Had Her Majesty's Government ever considered whether it would not be the case that many hon. Members of the House would indignantly refuse to drag in the name of God as Witness of an Oath of Allegiance or a Declaration of any other description in that House, when the most notorious and offensive Atheist could go scot-free, and, ignoring the name of God altogether, by a mere wordy Declaration, would acquire all the rights and privileges of a Member? If it were ever his fate to appear again at the Table of the House, prior to entering upon legislative duties at the commencement of a new Parliament, if this measure were the law, he should certainly take the Affirmation, because he should consider that it would be little short of impiety to take an Oath under such circumstances. Many of them believed it to be wrong to take an Oath, that was unnecessary, and when they had the choice of making an Affirmation, instead of taking the Oath it would certainly be unnecessary. He would point out also that they were not free from the danger of the desecration of the Oath, and that was the main part of the specious plea advanced by the Government. They would not be free from the desecration of the Oath by the passing of this Bill, because the Bill gave to every Member the free option and power of choosing whether he would take the Oath or not; and if it were passed by Parliament, it would be possible for the most offensive Atheist, who might even have paraded his intention of taking the Oath in order to insult the Christian religion of the country, to come in under the Government proposal, and take the Oath in the spirit of an insult, justifying it by the measure passed by the Legislature. He did not pretend to deal with the reference made with respect to rights, which had been brought forward by the advocates of the Bill. When they were dealing with the Bill brought in by a Liberal Government, the less they entered into considerations of Liberal respect for popular rights the better. The Liberal Government chose to be very touchy, and very tender in regard to the bereavement of the constituency of Northampton; but they thought very little of the feeling of the Irish constituencies and their Representatives, seeing that they were engaged in thrusting Members into prison, on fusty Statutes centuries old. They were confronted, however, with this statement on the side of Her Majesty's Ministers, that the matter had now been brought to such a point, and to so fine an issue in that House, that nothing more was left in the words of the Prime Minister than "a narrow ledge" on which to rest the religious faith of the people in some sort of God or other. It might be a question of detail. That depended on the point of view from which the matter was regarded. It was probably only a question of detail in the mind of that eminent servant of the Roman Crown, who once put to the people the alternative of "Christ or Barabbas." But they were questions of detail which, in the minds of other men, seemed to be questions of principle of the gravest and most tremendous importance. If they were comparing belief in God with all other dogmas and with all other questions of right or ceremony, or with matters however hallowed by usage or authority, it seemed to him that all other questions were the mere fringe of detail in comparison with the substance, essence, and body of the religious belief itself. The hon. Member for the North Riding of Yorkshire, in terms no less happy than the logic of his argument, was careful not to press the irrelevancy with which the Prime Mininster dragged in the idea of the new conception of the Deity as the justification of his action on the present occasion. He (Mr. O'Donnell) wanted to know what connection there could be between an Oath in Parliament and the conception of the Deity, and with the God which was invoked in the Oath in Parliament? Unless it were to afford an opportunity for the Liberal Party to display their appreciation of Latinity, he could not conceive what was the relevancy of the Prime Minister's reference. However, they were told that they ought to look on this question not from the point of view of the Northampton Election, and in reference to the personal case of Mr. Bradlaugh. For the sake of argument, let that be taken for granted, let it be assumed, that the Prime Minister had not got Mr. Bradlaugh in view, and was not considering the special case raised by that personage. But, under these circumstances, the Prime Minister was bound to tell the House for whose benefit the Bill had been brought into the House; and if the Bill were not a Bradlaugh Relief Bill, who were the numerous class sufficiently important, sufficiently deserving, and sufficiently reputable to claim this intervention on the part of the Government. If it was not Mr. Bradlaugh who was alone sought to be introduced into the House by the Bill, he wanted to know who were the persons who were sought to be introduced? What were the grievances that were sought to be remedied? Who were the classes who were, in the purview of the Minister, to be represented, and to express the opinions of the future House of Commons, if the Bill became law? If it were not Mr. Bradlaugh, was it his supporters, and were they to contemplate, among the only classes who as yet had come much above the horizon, the persons who distributed the literary productions of the hon. Member for Northampton? Was it the authors of what he did not mis-describe in calling the bestial blackguardism of the *Freethinker* and similar organs? Were those the classes to be benefited by this Bill? He put the question, and he demanded an answer. If the Bill were not a Bradlaugh Relief Bill, then was it a Bill for the relief of the *Fruits of Philosophy*; or of other satelites or parasites which had gathered around the excluded Member for Northampton? He did not intend to linger for more than a moment upon the audacity of the reference to the Emancipation of the Jews, or, rather, the admission of Jews into Parliament, which the supporters of the Goverment had had the self-possession, or the self-forgetfulness, to mention in that House. Whatever might have been the historical or social reasons which operated so long against the admission of Jews to that House, at any rate, as regarded the greatest and most fundamental question of all, there never could be any practical difference between the Jews and the Christians; and it was simply audacity pushed to the utmost in a question of this kind to attempt to drag in the name of the great race of Monotheists who alone had handed down the traditions of the Almighty to the earliest days of the Christian Church with the bestial associations and the foul impurities and impiety which hung round the name of the Member for Northampton. The central system of the Jewish creed was ours; the commandments of the Jews were ours; the books of the Prophets were ours; the songs of Israel were sung by our Christian congregations. He confessed there was no portion of the case brought forward by the Government which struck him as being more unworthy of the attention of Parliament than that portion which presumed to place the religious question on a level with the audacious and repulsive question which had been obtruded on their notice. There was another case also which had been pressed into the service of this unfortunate Bill. They were told, forsooth, that they were to emancipate Mr. Bradlaugh and his "merry men," because the Christian Dissenters of England had been emancipated; and some of the modern representatives of the Christian Dissenters of England had not been ashamed to use that argument. He had always understood, and, Catholic though he was, he had sympathized with the contention, that an exalted æsthetic view of the Christian doctrine had been the prevailing view and dogma of the Christian Dissenters of England; and he did not understand those self-forgetful Dissenters who had chosen to drag down the traditions of their ancestors to the miserable level of this debate. He had heard the right hon. Gentleman the Prime Minister speak of the claim of the hon. Member for Northampton, who represented nothing and nobody except subjects and persons whose characters could not be discussed in that House without hon. Members feeling obliged to spy Strangers as a preliminary to any investigation of the question. The Prime Minister ventured to couple the name of Mr. Bradlaugh and his cause with the name of O'Connell and the Catholics of Ireland. The right hon. Gentleman left out of consideration other matters on which he might legitimately have touched. But the Catholics of Great Britain and Ireland were emancipated after long and careful argument, and proof which had convinced the Protestants of the Realm that they could be emancipated, not only with safety, but with advantage to the general interests of the Kingdom. There was never any question as to the binding character of Christian morality upon the consciences of Catholics; and as to their services to the State, he would only quote to the House the confession of an eminent statesman who had ventured on such a parallel. He would quote the testimony of the great Duke of Wellington in favour of the Emancipation of the Catholics. The Duke of Wellington reminded the House of Lords that on many a desperate field, in many a terrible crisis in the darkest hour of the fight, battles had been won by thousands and tens of thousands of Catholic soldiers, who poured out their life-blood freely for the benefit of the State, Whether or not these services had been gratefully remembered by England was another question; but it was these services and considerations which, in the end, impelled the Imperial Parliament to recognize the rights of the Catholic citizens of the Empire to an equal share in the authority and duties of citizenship. He asked the Prime Minister, what were the merits and services to the State and the Empire which had been performed by the class represented by Mr. Bradlaugh, and if they could be placed on a level with the valour and suffering which had carried our banner triumphantly over every field in the Peninsula until it waved over the crowning defeat of Napoleon at Waterloo? What kind of services had Mr. Bradlaugh and his followers rendered to the State? One day or other, there would appear in that House a Bill, which he (Mr. O'Donnell) believed had passed the Upper House, for putting some check upon, and providing some protection for, those unfortunate women who were led into vice and wickedness in the wretched quarters of our large towns. It could not be difficult to trace a connection between vice of that kind and the wholesale dissemination of the vicious manuals which had been associated with the principal part of the life work of this *protégé* of a Liberal Government. If he were to consider the case of an Atheist from a human—he did not propose for a moment to consider it from a theological point of view, because, from that point of view, an Atheist was a man who denied God—but it was worth while at the present moment to consider the case from a human point of view, and from the human point of view what was an Atheist in his own conception? An Atheist was a man who professed himself to be only distinguished, in certain particular details of development and structure, from the beast and the brute. It was not he (Mr. O'Donnell) who had drawn that distinction. On the contrary, he denied it, even to those misguided men who maintained the theory, although they denied their obligation to be subject to the same moral laws of a Creator as Christians. He denied the distinction endeavoured to be forced upon him. While all other men were distinguished by a belief in a God and a Creator, recognizing themselves as subject to that Creator, the Atheist rejected emphatically all idea of any such connection with any Divinity or Deity. He discarded it altogether, and absolutely maintained that man was only another link of progress or retrogression in the mere scale of a bestial being. In the face of that contention, which was a fundamental article in the doctrine of Atheism, he (Mr. O'Donnell) wanted to know where were the moral bases for this proposed legislation? By what right, if the Atheist's contentions were admitted, could they punish, he would not say sin, but crime? By what right could they stigmatize acts as moral or evil? From the Atheist's point of view, how could they decide what was moral or immoral, criminal or not criminal? In the case of man, he professed to be governed by the same nature and the same instincts. How could they expect any claim from such men who refused the rights and responsibilities which were willingly recognized and broadly assumed by all men who recognized the Government of a moral Providence to whom they were responsible? It was not Christians who imposed a disqualification upon the Atheist. The Atheist imposed the disqualification upon himself. He professed that he was devoid of the very fundamental principles in virtue of which society exercised authority, in virtue of which human legislation was conducted, and connected by reference to moral law in the human breast, and imposed on human society. As long as the Atheist maintained that attitude, they ought not to confer on him rights which he refused to accept. He had dealt, in the course of his remarks, with the special case of the hon. Member for Northampton (Mr. Bradlaugh), and he had dealt with the general case of the rights of the Atheists to maintain a position among the places and connections which were entitled to respect and to human reverence. He could not, unfortunately, deal with the classes behind that particular Athiest in the present case, because, as far as he could say, the classes behind him were much more deserving of the attention of the police courts than of the Legislature of the land. But he thought there was another aspect of the case which might be fairly considered. They were entitled to bear this in mind—by every argument which they were able to test, by every proof which they were able to appreciate, and examine, the overwhelming bulk of the opinion of the nation was utterly against this course of gratuitous violation of the fundamental principles of the Constitution, and the belief of the British and Irish people. In England, beyond all doubt, the overwhelming majority of the people were true to the faith of their fathers; and, whether in the English Church or among the Dissenting communities, the vast majority of the people were against this gratuitous sacrifice of religion to a paltry and despicable cause. He was told, but he should be sorry to believe it true, that some of the Scotch Members believed that they would only be continuing the work of John Knox in destroying the Catholic Church in Scotland if they could succeed in destroying the Constitution of Great Britain and Ireland. He hoped the votes of the majority of the Scotch Members would refute the character which some ingenious advocates and admirers of the Ministry had claimed for Scotland at large. For his own part, he confessed that down to the present he had seen much more evidence in Scotland of an acute appreciation of theological differences than a wholesale readiness to abolish belief in God; and it was quite possible that, in Scotland, the expectation of the hon. Member for the North Riding of Yorkshire would be ratified at the next Election, and that those hon. Members who had thrown overboard the belief in God as part of the Constitution, in response to the suggestion of the Liberal Whip, would discover that their action was not approved of by believers in the Church of Scotland. In regard to Ireland, there could be no doubt that Ireland was actually united on this question from the North to the South and from the East to the West. Among all the constituencies and among all the Representatives of Ireland, he did not believe there would be found three battered reputations or expectant placemen who would be dragged into the Ministerial Lobby. As a matter of State policy, he would impress on Her Majesty's Government this consideration. Important in their view, as was this constituency of Northampton; superlative in their regard, as were the party claims of Mr. Bradlaugh; he would suggest to them to consider whether this was the time, or whether any time could be an expedient time, for introducing such a new, such a vast, and such a loathsome definition between the public opinion of Ireland and the law of the land as would be implied in the success of the Ministerial proposition? All Ireland, without distinction, recognized in religion the surest and the necessary basis of legislation; and if, by any manipulation of votes, or by any exercise of Ministerial authority, the Liberal view were imposed on the Legislature by the influence of the Government, that, he said, would only be another distinction, and a distinction of the gravest import, between the people of Ireland and the peoples, whatever they might be called, who inhabited the rest of the Kingdom. He said nothing offensive to the belief of any man, or any community; but he considered this a fundamental question on which desertion was vital and fatal; and he could not doubt that if Parliament deliberately cast away the very last of the ties which bound the present to the great past, in England, there would result political as well as religious consequences of the gravest importance. There was no doubt whatever that, in the minds of the persons supporting Mr. Bradlaugh, their objections to that part of the Oath which recognized God were not much stronger than to those which recognized allegiance to even a temporal Sovereign. He believed with the views of the enormous majority of his co-religionists in that House, the passing of a Bill to substitute Affirmation for the invocation of the Divine Name would impose on them the necessity of not invoking the Divine Name, under such odious circumstances. Let it be remembered that neither that House nor any other Assembly could escape from the law that "No man can serve two masters," and that all the attempts of Her Majesty's Government to establish a skilful equilibrium between religion and impiety would only result in the consequence of imposing on those who believed in religion the necessity of holding aloof from everything which would be a blasphemous mockery of religion, if the House generally were to divorce itself from the recognition of the Divine Government in society.

VISCOUNT EMLYN said, he should not have intervened in this debate, but for a speech delivered some nights ago by the right hon. and learned Gentleman the Judge Advocate General (Mr. Osborne Morgan). The speech in question was a remarkable one. The right hon. and learned Gentleman started by asserting that, on the question at present before the House, he represented the opinion of the Principality of Wales. He knew not from whom the right hon. and learned Gentleman had obtained the right to speak on behalf of the Principality — however, in proceeding with his arguments, he mentioned those who, he thought, would vote with him, and those who would probably go into the Opposition Lobby. But here the eloquence of the right hon. and learned Gentleman seemed to have blinded him to the fact that he had a Colleague in the representation of the county of Denbigh (Sir Watkin Wynne), a Gentleman much respected, and whose name was a household word throughout the Principality of Wales; for he appeared absolutely to have forgotten the existence of that Gentleman, while he ignored the fact, that had not ill-health prevented his attendance, he would probably be found in the Opposition Lobby. He made no reference to that, and he (Viscount Emlyn) would therefore ask the right hon. and learned Gentleman if he was authorized to imply that his hon. Colleague, if he could be present, would vote in the same Lobby with himself? The right hon. and learned Gentleman then passed on to make a personal reference, saying that he believed he (Viscount Emlyn) would be the only Member from Wales who would vote against the Bill. Without knowing whether that would be so or not, he (Viscount Emyln) was glad to say that his vote certainly would be recorded against it. Then the right hon. and learned Gentleman went on to direct a sneer at himself, which he was contend to pass by, leaving the question of its justice, good taste, and courtesy to the judgment of the House. Having listened to the speech of the right hon. and learned Gentleman, who had constituted himself the Representative of the whole public opinion of Wales, he (Viscout Emlyn) confessed that he had absolutely failed to find in that speech an argument of any kind which would justify oneany in voting for the Bill. With the permission of the House, he would pass in review some of the statements made by the right hon. and learned Gentleman in the course of his speech. In the first place, he said that many persons of varied religious views were able, at present, to come into the House; but it was impossible to gather from his speech whether that was objectionable, or the reverse. He next made a statement of a character which astonished him (Viscount Emlyn), and which would astonish him from whatever part of the House it proceeded—namely, that the Oath as at present adminstered admitted to the House a whole "army of humbugs." Without pausing to consider the delicacy or elegance of that language, he would ask the right hon. and learned Gentleman to whom he referred as constituting an "army of humbugs"—who where those hon. Gentlemen, and for what constituencies did they sit? The next statement of the right hon. and learned Gentleman was also startling, as coming from the Treasury Bench. He said, at the beginning of a new Parliament, Members came to the Table, practically to take an Oath which they meant to break. Now, he had no wish to misrepresent the right hon. and learned Gentleman, and he regretted that he was not in his place; but he would read to the House the exact words made use of, and ask whether he had not correctly expressed their meaning? They were—

> "At the beginning of a New Parliament, Members now came to the Table in gangs to take the Oath, almost without knowing what they are doing."

He believed the hon. Member for Northampton (Mr. Labouchere) had made a statement very much of the same kind; but the right hon. and learned Gentleman not satisfied with that, made a quotation which went even further. He was careful, however, to say that it was not taken from any book he himself had written; it was to this effect — "Oh! Blasphemous; the Book of Life is made a superstitious instrument on which they gabble o'er the Oaths they mean to break . . . ." He (Viscount Emlyn) said that a greater libel was never uttered in that House against Members of Parliament, and that the right hon. and learned Gentleman, if he thought it proper to make a charge of the kind, should have made it in specific terms, so that anyone in the House could answer him. But, even if those charges were true, what had they to do with the question before the House? How did the right hon. and learned Gentleman propose to deal with the matter? Would any of the "whole army of humbugs" sitting in the House now be debarred from doing so; and would any of the gangs of Members who came to the Table to take the Oath they intended to break be debarred? The Bill did not touch an atom of those questions; and they knew well that, if it became law, the right of Mr. Bradlaugh and of such Members to take the Oath would be exactly the same as it was at the present time. And then the right hon. and learned Gentleman went on to speak of the religious character of the constituency which he represented, and of the other constituencies in Wales—of their crowded Sunday schools and chapels. He agreed with the right hon. and learned Gentleman on that point; but he went on to say that the majority of the people were in favour of this Bill, because they hated tests more than they hated Atheism. That must be to a certain extent taken as an epigrammatic phrase, made use of more for the sake of effect than because it accurately represented facts. But, putting that aside, what were the tests which the right hon. and learned Gentleman referred to? They could only be the tests affected in this Bill, and they were simply those of reference to Almighty God. Therefore, the statement was brought down to this, that reference to God was a test which the constituents of the right hon. and learned Gentleman hated more than Atheism. He utterly denied the truth of that statement with regard to his own constituents, or those of any other hon. Member from Wales; and he challenged hon. Members on the opposite Benches, representing Welsh constituencies, to rise in their places and say that the test he had described, the only one touched in the Bill, was hated by their constituents more than Atheism itself. But he would ask for what conscientious scruples were they required to make this sacrifice? That was a question which hon. and right hon. and learned Gentlemen opposite had been very careful not to touch, and for this reason—there were no conscientious scruples to which they could refer. Putting aside the question as to whether scruples concerning this test could properly be called conscientious, he put it to the House that the hon. Member for Northampton (Mr. Bradlaugh), in whose behalf this Bill was admittedly introduced, did not profess to have any conscientious scruples in the matter; he did not tell them that conscientious scruples would not allow him to take the Oath; on the contrary, he claimed to take it now, and nothing but the vote of the House had stopped him from doing so. He would ask the right hon. and learned Gentleman whether it was by the action of the Government that Mr. Bradlaugh had not profaned that Oath long ago? Looking at the feeling which the Welsh constituencies avowedly held in favour of religious freedom and toleration, and which everyone in that House respected, he told the right hon. Gentleman that he had no right to build upon a people's love of religious liberty the odious statement that they were in favour of admitting into the House of Commons, to legislate as to their chapels and Sunday schools, pronounced Atheists, in whose behalf the Bill was being forced upon them. Hon. and right hon. Gentlemen opposite had forgotten how widely the two things, religious toleration and the encouragement of Atheism, diverged. It was very convenient to cast at hon. Members on those Benches the grand words, "Religious freedom and toleration;" but, as the noble Lord the Member for West Kent (Viscount Lewisham) had pointed out at an earlier stage of the debate, they were not fighting against religious freedom, but against the tyranny of irreligion. Then the right hon. and learned Gentleman went on to say that "the arguments on the other side of the House always degenerated into the cry of "Bradlaugh;"" but had he given himself the trouble to listen to the speech of the Prime Minister, he would have gathered that that right hon. Gentleman himself did not deny, or question, the proposition that it was on behalf of Mr. Bradlaugh that the Bill had been brought in. The Prime Minister, in referring to that special point, observed—

> "It is said that you ought not to alter the Law for the sake of one person, that one person being Mr. Bradlaugh, but it so happens that these laws are commonly altered for the sake of one person."

The argument of the right hon. and learned Gentleman was, therefore, distinctly opposed to the admission of the Prime Minister that the Bill was brought in for the sake of Mr. Bradlaugh. He would touch for one moment upon a most remarkable part of the speech of the Prime Minister. Speaking of the Petitions brought in in regard to this Bill, and admitting entirely that the weight of those Petitions was against it, the right hon. Gentleman went on, not to argue that they did not represent the feeling of the country, but that he was justified in going against the feeling of the country. There were many questions on which it was desirable that the Government should be less dependent, and less open to pressure; in fact, he should like to see a little more backbone in their policy. When hon. Members saw a question of this kind, which had not been before the constituencies, brought before Parliament, they had a right to ask how it was that the Government claimed and arrogated to themselves the right of going against the opinions of the constituencies, and going so far as to say that in questions of this kind, their judgment was not to be depended upon? He could understand why the Government should prefer that this question should never be tested by the constituencies. When the right hon. Gentleman said that in election after election, the Government had been losing votes, he could quite understand their anxiety to smother the question before many other elections came about. But, suppose for a moment that the Government had the right to go against the opinion of the country, in what way were they doing it, and for what reason? The Bill was not one they had carefully matured; it was not a question which, after careful consideration for a long time, they had at length come to the definite conclusion they must deal with. The question had been before them for three years, but they had never touched it. They had dealt with the matter just whichever way the tide seemed to go; but had never pushed the view they were now holding to the front until Mr. Bradlaugh's threats and Mr. Bradlaugh's mob had forced them on. It was under these threats, it was under the dictation of a mob assembled near the Houses of Parliament, that they had claimed for themselves the right to put aside the opinion of the people of England, and say, "It is not worthy of respect." There was no doubt about it that they had allowed themselves to be forced by this mob to act contrary to the opinion of the people of England. The Prime Minister had spoken of the effect the keeping of this question open would have on the educated classes of the country; but to his (Viscount Emlyn's) mind, no worse effect could be produced on those classes than by the settlement of the question in this way. He could conceive nothing worse than that the Government should keep the question open and dangling before the people for three years, without attempting to deal with it; that whenever it arose, the Prime Minister should abdicate the functions of the Leader of the House, and allow the whole matter to drift; and that, in the end, he should allow himself—or suffer it to appear that he allowed himself—to be moved by a mob, who hurled threats at his head, into making way for a blasphemer and Atheist to come to the Table. He now came to the concluding part of the Prime Minister's speech. No one could listen to it unmoved; but when he heard the right hon. Gentleman paring down all the recognition of religion which existed in the House, and when he heard him term that recognition "a mere shred to which they clung so closely," he could not but feel that this was strange language for anyone to hear in Parliament, and from the Prime Minister, when they remembered that that shred of religion to which the right hon. Gentleman referred so lightly, was nothing more nor less than the recognition of God. [*A laugh.*] The hon. and learned Solicitor General might jeer if he pleased; but the people of England would understand that, and no sophistry from the greatest statesman in the country, none of this paring down, would influence them. What they were doing, or proposing to do, was to strike the name of God from the Affirmation which was taken in this House. The right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) had put the matter very plainly. He had said that this question was very easily understood, and it did not require a statesman nor a lawyer to explain it; but it certainly did require a statesman of ability and a great lawyer to conceal its meaning from the House. And then they were told that they were to have in place of the Affirmation as it stood—in place of any reference to the name of God—a "solemn Affirmation." A "solemn Affirmation," forsooth! Whence was the solemnity to be derived? He challenged any hon. or right hon. Gentleman to contradict this statement, that no solemnity was possible, except where it was connected with a reverent recognition of God. The Government told them that they had a "solemn affirmation" in the oath that was taken by Atheists in Courts of Justice. That question he did not go into. They must deal with the question that was before them—namely, the Oath in Parliament. The Government asked the House to strike out of its Affirmation the name of God, and they said in the same breath that when they did that the Declaration would retain as much solemnity as it had before. Well, he repeated, whence was that solemnity derived? He knew of no solemnity in matters of this kind, save with reference to the name of God. He had been anxious to put on record his protest against the assumption that the constituencies of Wales were in favour of the Bill. He should unhesitatingly give his strongest opposition to it in the present stage, and in every other, if it should go beyond the present; and, in doing so, he should be giving expression to the opinion not only of the people of Wales, but of the people of the Empire at large.

Mr. J. G. TALBOT said, he must apologise to the House for taking part in the discussion at so late an hour (12.50); but he was anxious to make a few observations now, for two reasons—first, because the Government had appealed to them, and he thought not unreasonably, not to protract this debate beyond due limits; and, in the second place, he felt that it would not be right, considering the importance of the constituency he had the honour to represent in the House, if no voice were raised in their behalf on this great and important question. Putting those two considerations together, and knowing the narrow limits within which their time was now compressed, he felt that if he did not trouble the House now, he might not be able to find a fitting opportunity later on. He therefore asked the indulgence of hon. Members for a few minutes. The subject which had been before them to-night had been fully and adequately discussed; but it seemed to him there were still some considerations which might be urged on the attention of the House. The Prime Minister, in that most remarkable, and, if he might say so, even for him, that stupendous effort of genius—which they heard last week on this Bill—and which had seemed to him (Mr. Talbot) all the more remarkable, because the right hon. Gentleman did what hardly anyone else in the House could have done—namely, threw round a subject most unsavoury, a halo of sanctity and Christianity—appealed to them to put an end to these unseemly proceedings, and had said that the scenes which were enacted here were scenes which were not creditable to Parliament or to the country. He entirely agreed with the Prime Minister in that; but the opponents of the Bill were not responsible for these scenes. No doubt, someone else was. The history of this transaction was painful, and he thought Her Majesty's Government were more to be pitied than blamed for the position they found themselves in. But the pity which should be felt for them was more that pity which attached to men who, having failed to take the correct course at the outset, found themselves unable, as things proceeded, to recover the ground they had lost, and, consequently, sank deeper and deeper into the mire. In the spring of 1880, when the hon. Member who now represented Northampton (Mr. Labouchere) went to the then chief authority in the arrangements of the Liberal Party (Mr. Adam), and told him that if he would write a letter which could be shown at Northampton, it would be desirable, in order to consolidate the Liberal Party in Northampton, the cause of all this difficulty took place. The Liberal Party had not the courage of its convictions, and was obliged to consolidate itself and support the two Gentlemen who sought the suffrages of the people of Northampton. Then there was the unhappy telegram sent by the hon. Member for Bristol (Mr. Morley), a telegram afterwards bitterly regretted by the sender, which completed the disaster. From that point, disaster had followed on disaster, until they had arrived at the state of things in which they found themselves that night. The House was told that they ought not to object to the admission of these people into the House, because they had already agreed to the admission of Roman Catholics and Jews; and they had been told to-night that neither Roman Catholics nor Jews had injuriously affected the character of the House. That was true; but, it must be remembered, neither Roman Catholics nor Jews had any intention of affecting injuriously the religious character of either the House or the country. But when he came to look at the utterances of the people who were associated with the Gentleman it was now sought to admit to this House, he could not admit that, if allowed into the House, they would make no difference in its constitution. He did not know whether hon. Members had seen a remarkable letter which had appeared in one of the Northern newspapers—a letter addressed to *The Newcastle Chronicle*—in which the writer adverted in terms of triumphant expectation to the results which were to ensue from the passing of this Bill. These utterances were so remarkable that he must ask the House to listen to a few of them. Speaking of the late Member for Newcastle (Mr. Ashton Dilke), whose early death they had to deplore a short time ago, the writer said—

> "The journals which he owned have done excellent service in delivering the minds of the multitude from that bait to idleness, the hoary superstition of setting aside every seventh day to the worship of the 'Almighty;' while the periodical which he himself edited seldom let slip an opportunity of exposing the hollowness, the folly, and ignorance of the Christian Missionary system."

These were the results which this avowed Atheist who wrote to *The Newcastle Chronicle* anticipated from the admission of persons of this kind into Parliament—the abolition of that distinction between the days of the week—the week days and the Sunday—which had been long looked on as perhaps the chief bulwark of religion in this country, and was certainly not one of the least blessings that Christianity had brought to the labouring men of this country, and the abolition of that noble and self-denying work which had led, amongst other things, to the liberation of the slave. These were the results which were looked forward to as attendant upon the triumph of Atheism. Speaking of the precepts of the junior hon. Member for Newcastle (Mr. John Morley), the writer went on to say—

> "These are noble precepts, and when they have been carefully applied, and their gradually improving results handed down for a generation or two, then will dawn upon old England that happy time which Freethought philosophers have foretold, when the little child will repeat to its approving parent Shelley's dictum, 'There is no God.'"

Speaking of Mr. Bradlaugh, this writer said—

> "While a great many Liberals would be content with merely opening museums and such like places on Sundays, Mr. Bradlaugh would destroy the Sunday itself, eradicating from men's minds every trace of the unhallowed superstition. This fatal legacy from Judaism bears the blood marks of ancient heathendom about it; it is a toothed drag upon the world's industry, a provider of misery for millions, and a disgrace to modern enlightenment. It must be done away with; and there is no man living whose efforts in this direction have been crowned with greater success than those of Mr. C. Bradlaugh. It was in doing battle against the 'Lord's Day' that Mr. Bradlaugh came first prominently before the English public. That was in 1855, when the 'Sunday Trading Bill' was introduced, and when the riots ensued in Hyde Park. Since that time Sunday has been his chief working day; through the enterprize of himself and a number of active colleagues, multitudes of the labouring people of England have lost all reverence for the day which their parents had taught them to set apart for God's worship. For this reason alone Mr. Bradlaugh deserves the gratitude of us all. . . . . But let me refer briefly to another and a greater service which the Secularist leader has rendered to his fellow countrymen. He has greatly helped to banish error from the State; but there probably never lived an Englishman who has done so much to banish error from the family. The family was before the State; it contains the rudiments of a national organization, and is, indeed, the basis of society. The life of the family gives the tone to civil government. The knowledge of this fact has made reformers look first to the family circle. This they have been accustomed to do from the days of Plato down to those of the Gotha programme, the family being reckoned the mainspring of the national virtue and the keystone of the political arch. How can the cistern be filled with pure water if its feeders are charged with noxious fluids? Whoever gave the Jews their theocracy understood this, and thence their family life was hedged about by stern laws; two Commandments out of the 10 were formed expressly to fortify and sanctify the union among man, wife, and children, and the Kingdom of the promised Messiah Himself was made to depend on keeping the family pure and its links entire. Everybody knows the place which the institution of family has ever held in the Christian system. There was a time when the old heathen world, sinking under the weight of its lasciviousness and moral rottenness, had to yield to a new *régime*, whose most powerful weapons were love and chastity. The family was at the beginning of Christian civilization; and, by acting upon the family, Christian religion has constituted itself the guardian of the national purity. It had often been contended that if an effective blow were to be dealt at the State, it would have to be delivered through the family. But never before, I am convinced, either in this or any other country, has there been an attack upon the family institution so skilfully devised and successfully undertaken as that by Mr. Bradlaugh."

In answer to this quotation, it might be said—"What has that to do with the Bill before the House?" It had that to do with it. These were the sentiments and opinions that Mr. Bradlaugh's friends relied on as constituting the triumph they hoped to achieve through his coming into the House. He (Mr. Talbot) would ask the House, were they ready, at the bidding of a Liberal Government, or anyone else, to pass a law which would tend, in the opinion of the people who advocated it, to achieve triumphs such as these—the destruction of the English Sunday, and the destruction of the English family life? These were not Party matters—he hoped they were all of one Party on such subjects as those. Would any hon. Member who gave a moment's consideration to the subject doubt what the answer ought to be when such a question was put to them? They were told they ought to pass the Bill because there were already many Atheists in the House. He should like to ask hon. Members who said that, what sort of compliment did they think they were paying to their Friends? If there were Atheists in the House, where were they, and who were they? He did not suppose they were sitting on the Conservative side of the House; and if they were sitting on the other, it was hardly a complimentary thing for hon. Members to tell their Friends they were Atheists—that they had come to the Table and subscribed an Oath that they did not believe in. But they must not suppose this was the final step. The Affirmation said that the man making it solemnly promised allegiance to Her Majesty; but the very man for whom it was proposed to provide this Affirmation had declared that he was not prepared to bear true allegiance. What was this gross imposture which was to be passed off upon the House? If hon. Members would look at the matter in the light of clear reason, instead of Party obligation, he was quite sure they would come to the conclusion that this Bill ought to be thrown out with all the indignity it deserved. It was not only not satisfactory, but it was hopelessly confused. They were told that the Bill was going to be prospective only; but, if that was the case, why was it not made so now? He supposed words were to be introduced in Committee—though he hoped they would never reach that stage—to provide that the Bill should only be prospective. If that was the determination of the Government after deliberation, surely a matter of this grave importance ought to have been sufficiently considered before the Bill was introduced. Was Mr. Bradlaugh a man for whom Parliament ought to pass anything of this kind? He had tried to show that Mr. Bradlaugh's principles were destructive, not only of the religion we all professed to respect and revere, but they went to the root of all our institutions, whether social or religious. Was he the kind of man for whom the House could have that amount of respect which was called for if such a fundamental change was to be made? Was he not a man who had shown, by the manner in which he had treated that House, that he was not worthy of such consideration? Some hon. Members had compared him to the Jews and Roman Catholics; but the Jews and Roman Catholics were ready to wait through long years of patient endurance and civil disabilities before they were admitted to the House. He would not now argue whether those who opposed them were right or wrong; but, at all events, they proceeded in a Constitutional manner, and when Parliament gave them relief, it did so after due consideration. But this man had not proceeded in that manner. First, he came and claimed to affirm, as a person who had already affirmed in Courts of Justice; and when that claim was rejected by a majority of the House, and according to law, he then came forward and said he did not care about the Oath, but if they would not let him affirm, he would swear anything they liked. Was that a man for whom they were to change the law of England? This was one of the most preposterous proposals ever known. The noble Lord the Member for Barnstaple (Viscount Lymington) said he never would have consented to admitting Mr. Bradlaugh on taking the Oath; and the hon. and learned Member for Christchurch (Mr. Davey) said he thought the Affirmation was better than the Oath. That might be a perfectly legitimate subject for consideration hereafter; but he (Mr. Talbot) could not help thinking that if that was the hon. and learned Member's opinion, and he had the courage to carry it out, he should not vote for this Bill, but should bring in a Bill, or induce the Government to bring in a Bill, to alter the present principle altogether, and provide that, in future, there should be Affirmation only. One word more, as to the way in which the Oath was supposed to be taken. It was said that, at the beginning of the Session, the Oath was taken in an unseemly manner, and that those proceedings were not calculated to inspire spectators with reverence. He did not think the House was responsible for the arrangements, and he hoped those who were responsible would improve the arrangements. The fact that the authorities had not given them the best method of administering the Oath was surely not a sufficient argument for so great a change. The Prime Minister had appealed to hon. Members to do away with this flimsy shred of a religious test, and, once and for all, to have done with religious disabilities. In the first place, he entirely challenged and traversed the Prime Minister when he called this a test at all. He did not look at this as a religious or Theistic test. This Assembly had a right to say in what way those who came to take their seats should begin their great and responsible duties. They had a right to impose obligations on those who entered that House; and he entirely denied that that had anything to do with, or was in any sense, a Theistic test. He would go a step further, and, answering the Prime Minister's argument upon Lucretian doctrines, he would say that he would rather welcome even those who could not go beyond a general and even a vague recognition of a Supreme Power, if they had a real feeling of submission to such Unseen Power as regulating and controlling their actions. Though not believing them to be in the condition in which he hoped he himself and his hon. Friends were, he would welcome such persons as persons with whom obligations were sacred; but he could not accept, as in that category, any person who admitted no reverence to any Supreme Being at all. When one of the great preachers of Christianity approached Athens, and found there an altar to an Unknown God, instead of casting a slight or an imputation upon that doctrine, he endeavoured to declare to those who were in an imperfect state of belief the true doctrine about Him whom they ignorantly worshipped. He would rather have an altar to an Unknown God than no altar at all. And, in conclusion, he would say that so long as he had a seat in that House he would not be a party to depriving the House of that which had for so many centuries sanctioned all its legislation and proceedings—the recognition of a Power above and beyond us, and which we all bowed to and revered.

MR. J. A. CAMPBELL said, that, in this important discussion, no Representative from Scotland had addressed the House to-night; and his principal object in rising was to make some reference to remarks which had been made on previous evenings, with respect to the opinion entertained upon this Bill in Scotland. The noble Lord the Member for Haddingtonshire (Lord Elcho), on the first evening of the debate, expressed his opinion that there was a strong feeling in Scotland against this Bill. To that statement, opposite opinions were expressed by hon. Members who followed in the debate. The hon. Member for the City of Aberdeen (Dr. Webster) was especially decided in contradicting the assertion of the noble Lord. He said there was no public opinion in Scotland against the Bill; and he seemed to rest that statement upon two bases. One was, that at his own meetings with his constituents, at which he had freely expressed his views on the question, and explained the course he had taken in voting with the Government, there had been no dissatisfaction expressed. That was negative evidence to the hon. Member as to the feeling in Aberdeen; but what he seemed chiefly to rest upon was the fact that he had presented a Petition in favour of the Bill from the Aberdeen Presbytery of the United Presbyterian Church. To those who knew Scotland, it was unnecessary to give an explanation on the subject; but there might be hon. Members who were not familiar with the religious distinctions in Scotland, and for their benefit, he (Mr. J. A. Campbell) wished to explain, without any disrespect whatever to his hon. Friend the Member for Aberdeen, and without in any way disparaging the Church for which the hon. Member spoke, that the United Presbyterian Church did not mean a Union of all Presbyterian Churches, as some, not acquainted with

Scotland, might suppose from its name, but it was simply one of the three principal Presbyterian Churches of Scotland; and it so happened that in Aberdeen and neighbourhood, that Church was by no means so powerful as it was in some other parts of Scotland. In fact, its Aberdeen Presbytery represented only 16 congregations, while a Petition from the Aberdeen Presbytery of either the Established Church or the Free Church would have represented more than double that number of congregations. The hon. Member also spoke of the deference that was due to the opinions of this Church, characterizing it as one of the most religious bodies in Scotland. He (Mr. Campbell) had no objection whatever to that description, provided that it did not convey any reflection on other Churches whose Presbyteries had not petitioned in favour of the Bill. Then the hon. Member for Kilmarnock (Mr. Dick-Peddie) also referred to the action of the United Presbyterian Church in laudatory terms. He spoke of that Church as the most advanced and intelligent in the country, especially in regard to political questions. He (Mr. Campbell) was not quite sure what particular merit there was in a Church being advanced, and especially in its being advanced in political intelligence; but the hon. Member had, in that way, expressed his good opinion of the Church to which he belonged. He did not find fault with that opinion, but the hon. Member founded upon that description of his Church a claim for great consideration being given to the fact that that Church had not sent any Petition against the Bill, and had sent one Petition in favour of the Bill. But if this was a good Bill, and if that Church was so politically intelligent, how was it that it had sent only one Petition in favour of it? The United Presbyterian Church consisted of 30 Presbyteries, and only one had petitioned in favour of the Bill; and if anything was to be made of the opinion of that Church, what appeared was, that one Presbytery had petitioned in favour of the Bill, and 29 had not. But, unfortunately, the hon. Member had added that on political questions, Churches, in his opinion, were very unsafe guides indeed. That did not exactly square with what the hon. Member had been saying before; but he had no doubt the hon. Member, when he said that, was thinking of the Churches which had petitioned against the Bill. Speaking of those, he especially referred to the Church of Scotland, and characterized it as the proper ally of the Tory Party. The Church of Scotland had no Party politics at all. It did not, as a Church, meddle with Party matters. If it did ever intervene by Petition in regard to matters of a political kind it did so, because they had a religious side as well, and it was to that religious side only that their Petitions had reference. In the present instance, many Petitions had come from different Organizations of the Church of Scotland. The Petitioners saw dangers to the cause of religion in the proposed legislation. The way in which the Petitions had come was an evidence that the Church was not liable to the charge of being allied to any particular Party. The Petitions, as a general rule, had not been arrived at unanimously, but had been agreed to after free discussion. He himself had the honour of presenting a Petition against the Bill from the Synod of Angus and Mearns; and the Synod clerk, in forwarding it to him, mentioned that it had been adopted by 28 votes to 12. He said this, to show that the Church of Scotland was not acting in a blind fashion, but that, in petitioning against the Bill, it was doing so by majorities sufficiently large to show what the general feeling was, and yet with minorities sufficient to show that entire liberty of judgment was exercised. It was said that the Petitions had come chiefly from Churches and Orange Lodges. The hon. Gentleman who made that assertion must have forgotten what Petitions had been presented to the House. Not long ago, the right hon. Baronet the Member for North Devon (Sir Stafford Northcote) presented a Petition from Edinburgh signed by 14,500 of the inhabitants, and he (Mr. J. A. Campbell), only a short time ago, presented a Petition from 1,003 working men, not Orangemen, in Glasgow, and another Petition from Glasgow, signed by 23,000 of the inhabitants. They heard, yesterday, some rather disparaging remarks as to the way in which Petitions had been prepared. If irregularities had been committed, they must be regretted and condemned. But what were the irregularities alleged? They were irregularities perfectly consistent with honesty of purpose; they were irregularities to be accounted for by over-zeal and ignorance on the part of a few; they were irregularities which might have occurred, and which he believed had occurred, in respect to Petitions both for and against the Bill. There were, however, irregularities of a different kind, which were not so easily excused; for instance, such as having a printed heading to attract signatures, which did not honestly and properly describe what the Petition was. There was, at present, a Petition being signed in Glasgow for the Bill, and if the House would allow him, he would read the placard which was used as a means of attracting signatures to it. The placard was headed, "Liberals," and went on—

> "Support the Right Honourable W. E. Gladstone and the Government by signing the Petition in favour of the Government Affirmation Bill which recognizes the right of private judgment for all."

The other evening, the Prime Minister spoke of the question of this Bill as one in regard to which the facts were but very partially known out-of-doors. It appeared to him (Mr. J. A. Campbell) that the facts were not likely to be well known, if people were to be misled by such placards as the one he had read. The House was told that the opinion of Scotland was not to be measured or ascertained by Petitions, but by the votes of the Representatives; it was said that the true test of the opinion of Scotland was the opinion of the Representatives. The hon. Member for Dungarvan (Mr. O'Donnell) had expressed a hope that the Representatives of Scotland would, in the main, oppose the Bill; and he (Mr. J. A. Campbell) trusted that some opponents of the Bill would be found, even amongst those who generally supported the Government. But he asked how many of the Scotch Representatives were elected on this question? He could readily understand in what a difficulty it would have placed Liberal candidates in Scotland at the last Election, if this question had been anticipated. Hon. Gentlemen, no doubt, knew that in Scotland the people were very fond at an election time of a process which was called "heckling" a candidate, and they could, therefore, understand in what an awkward position a Liberal candidate would have been placed if, after delivering his address, some influential local politician had asked him if he would support a measure to enable an unbeliever to take his seat without taking the Oath. The candidate would have been greatly perplexed by having such a question addressed to him; and if his answer had been in the affirmative, his supporters must have been thrown into no small consternation. The Representative who was best qualified to say what was the popular feeling of Scotland with regard to this Bill was, in his (Mr. J. A. Campbell's) opinion, he who had most recently passed through the ordeal of a contested election. Without meaning any disrespect, therefore, to the hon. Members for Aberdeen and Kilmarnock, he would pass them by, and turn rather for an opinion to the noble Lord the Member for Haddingtonshire (Lord Elcho). They had heard that the objection to the Bill on the ground of the offence it gave to the religious feelings and instincts of the people was not a proper one, because the Parliamentary Oath was not intended to be used as a religious test. He admitted that the Parliamentary Oath was the Oath of Allegiance. The purpose was that there should be exacted from every Member of the House a solemn declaration of loyalty. But it was provided that that solemn declaration should be made in the form of the Oath, in which Oath our responsibility to God was recognized. It was true that an Affirmation was, in certain specified cases, allowed in lieu of the Oath; but it was not allowed under such circumstences or in such a way as in the least degree to make the declaration in any respect less solemn and less binding. As they were reminded by the hon. Member for Finsbury (Mr. W. M. Torrens), the Affirmation, as they knew it, was not an alternative but an equivalent for the Oath; it was an equivalent given by persons who had a religious objection to taking the Oath, not because they did not believe in God, but because they had conscientious scruples about using His Name in the terms of the Oath. In their case, the Affirmation was as solemn as the Oath, and it was as binding to them as the Oath was to those who took the Oath. He had no wish to detain the House at that late hour (1.30 a.m);

but he asked them to remember that the Affirmation which the Bill proposed was not at all the Affirmation which they now knew. It was the same in form; but the circumstances under which it was to be made rendered it entirely different. The Bill had been properly characterized that night as a "one man" Bill. It had been framed for one man, and that one man did not represent, as O'Connell and Alderman Salomons did, a class who had been aggrieved; and, for all they knew, he was only the only man who would ever be relieved by the Bill. The matter really amounted to this—whether the Affirmation, as it was proposed to be made by one who avowed himself an Atheist, could be regarded as a solemn and binding promise? No doubt, the evidence of such a person was taken in a Court of Law; but they were dealing with an entirely different matter. In a Court of Law, it might be necessary, in the interests of justice, to take his evidence with such security as might be had for its truth; but when they came to the Oath of Allegiance, they were upon entirely different ground. There was no necessity to accept a promise of loyal allegiance, unless it was given under such sanctions as were entitled to their respect. There was no intolerance in that. There was no persecution of anyone in opposing the Bill. But when he was asked, whether an avowed Atheist could solemnly promise to bear true allegiance to the Crown, he must answer that an Atheist could not do so in the sense of giving anything like a binding promise at all equivalent to the Oath of Allegiance. It might even be argued that his inability to make a solemn promise in the sense of a promise given under the sanction of a reference, expressed or understood, to Almighty God, brought the avowed Atheist within the range of the exception made by Lord Lyndhurst, in the words quoted the other evening by the Prime Minister. The words of Lord Lyndhurst were that there was to be no test whatever applied with respect to the exercise of civil functions, "except the test of civil capacity and a fulfilment of civil conditions." But the taking of the Oath of Allegiance was a civil condition; and if the Atheist could not take it, and could not make an Affirmation equivalent to it, he did not fulfil that civil condition. It must follow that he was not qualified, and could not be qualified, to take his seat in the House; and thus the answer to the argument which they had often heard, that every duly qualified Member should be allowed to take his seat, would be, in the case of an Atheist, that he was not duly qualified. The hon. and learned Gentleman the Attorney General, in his speech in moving the second reading, said that at present there was no disqualification known to exist on account of religious beliefs. But the disqualification in the case in point was not on account of religious belief, but on account of an avowed absence of religious belief. That absence of religious belief rendered the man unable to take a solemn Oath, or to make an equally solemn Affirmation. In the rejection of the Bill, there would be no invasion of the rights of a constituency. A constituency could claim no right to have a Representative in that House who could not comply with the requirements of the House. It was well, also, to consider what were the rights of others. What were the rights of the Crown? What were the rights of the whole community? Had the Crown no right to look for a solemn pledge of allegiance from all those who composed Parliament—from those to whom it was the custom of the Crown to refer as the "faithful Commons?" Had the nation at large, especially in these times, no right to insist that those who composed its Parliament should all be men who could, as in the presence of God, make a solemn profession of their loyalty?

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Newdegate.*)

Sir H. DRUMMOND WOLFF said, that, before the debate was adjourned, he wished to call attention to the extraordinary absence of Cabinet Ministers from an important discussion of that kind. Ministers had, that night, asked them to sacrifice the rights of private Members, and for the last two hours, except for a few minutes when the Secretary of state for the Home Department chose to stroll in, they had only been treated to the presence of insignificant Members of the Government.

Mr. DODDS rose to Order, and submitted that the remarks of the hon. Gentleman the Member for Portsmouth were not pertinent to the Motion for the adjournment of the debate.

THE DEPUTY SPEAKER (Sir ARTHUR OTWAY): I must remind the hon. Member for Portsmouth (Sir H. Drummond Wolff) that, under the New Rules, he is bound to confine himself to the Question of Adjournment.

SIR H. DRUMMOND WOLFF said, he was speaking to the Question of Adjournment. He considered it a great reason for adjournment, that they had had for the last two hours no one on the Treasury Bench but the most insignificant Members of the Government. It occurred to him that when the Government had asked them to sacrifice their rights, it was their duty to be present and hear the arguments advanced. He was happy to see that the right hon. Gentleman the Secretary of State for the Home Department had just come in; but what was one amongst so many? It was because for some time they had not been favoured with the presence of any Cabinet Minister that he supported the Motion for Adjournment.

Question put, and *agreed to.*

Debate *further adjourned* till *Thursday.*

## FRIENDLY &c. SOCIETIES, (NOMINATION) BILL.—[BILL 117.]

(*Mr. Stuart-Wortley, Mr. Burt, Mr. Albert Grey, Mr. Northcote.*)

### SECOND READING.

Order for Second Reading read.

MR. STUART-WORTLEY, in moving that the Bill be now read a second time, said, it merely proposed the extension of a principle with which the Legislature was already familiar. Under the Friendly Societies and other similar Acts, a member of a Society could make a valid testamentary disposition of funds standing to his credit in the books of the Society, by sending to the proper officers of the Society a written notice, nominating some person or persons to whom he wished the money to be paid at his death. But this could only be done in respect of funds not exceeding £50. Since the passing of those Acts, all estates below £100 in value had been exempted from Probate Duty. There seemed, therefore, to be no very good reason why that power of nomination should any longer stop at £50, and the Bill, accordingly, proposed to raise that limit to that of the sum exempted from Probate Duty—namely, £100. By one of the clauses of the Bill, the intestacy provisions of the Friendly and Industrial Societies and Savings Banks Acts were to be applied to trade unions. The remaining clauses of the Bill were intended to prevent frauds on the Revenue by persons possessed of other funds, besides their £100 standing in the Society's books. That being the outline of the Bill, he trusted the Motion for the second reading would be agreed to.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Stuart-Wortley.*)

MR. COURTNEY said, he had no objection to the principle of the Bill, and would, therefore, not oppose the second reading. But as the Bill had only been circulated on Monday morning, and as he wished to examine its details more closely than he had as yet been able to do, he hoped the hon. Member for Sheffield would not set it down for Committee until after the Whitsuntide Recess.

MR. STUART-WORTLEY said, he would gladly accept the suggestion of the hon. Gentleman the Secretary to the Treasury.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* 28th May.

## DISTRESS LAW AMENDMENT BILL.

(*Sir Henry Holland, Mr. Heneage, Sir Walter Barttelot, Mr. Cropper, Sir Joseph Pease.*)

### [BILL 44.] COMMITTEE.

Order for Committee read.

SIR HENRY HOLLAND said, he would move that Mr. Deputy Speaker leave the Chair, merely for the purpose of going into Committee *pro formâ* on this Bill.

Motion made, and Question proposed, "That Mr. Deputy Speaker do now leave the Chair."—(*Sir Henry Holland.*)

Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Motion made, and Question, "That the Deputy Chairman do report Progress, and ask leave to sit again,"—(*Sir Henry Holland,*)—put, and *agreed to.*

Committee report Progress; to sit again upon *Thursday* 24th May.

## NEW FOREST (HIGHWAYS) BILL.

(*Mr. Courtney, Mr. Cotes.*)

[BILL 135.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Courtney.*)

MR. SCLATER-BOOTH said, he had no wish to discuss the general plan of the Bill, which was agreeable to the inhabitants of the New Forest, and which provided that certain roads should be put in repair by the Commissioners of Woods and Forests, and afterwards become repairable—which was not now the case—by the ratepayers of the parishes, or highway districts in which they were locally situate. The mode, however, by which the due repair of the roads was to be certified, with a view to the chargeability of the ratepayers, was open to exception; and upon that, and kindred points, he desired to have some explanations. The county surveyor, who had nothing whatever to do with these roads, was put under statutory obligation to perform this duty; but no provision was made for payment for his services, nor had his consent even been asked. He would, therefore, be glad to hear from the hon. Gentleman the Secretary to the Treasury whether it was proposed that the county surveyor should be properly remunerated by the Commissioners of Woods and Forests; and whether he would be furnished with all the information and assistance needed to enable him to discharge his duties? He also desired to know whether the bridges, as well as the roads, would be properly repaired and strengthened? If these points were not provided for, it might be desirable to do so by Amendments in Committee.

MR. COURTNEY said, he would admit the justice of the remarks of the right hon. Gentleman opposite (Mr. Sclater-Booth). It would be unreasonable to expect the county surveyor to accept duties outside his office without remuneration; and it was but right, also, that he should be supplied with the means of ascertaining how the roads should be repaired. The points referred to by the right hon. Gentleman would receive due consideration.

Question put, and *agreed to.*

Bill read a second time, and *committed* to a Select Committee of Nine Members; Five to be nominated by the House, and Four by the Committee of Selection.

*Ordered*, That all Petitions against the Bill presented two clear days before the meeting of the Committee be referred to the Committee.

*Ordered*, That the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against the Bill, and Counsel heard in support of the Bill, with power to send for persons, papers, and records.

*Ordered*, That Three be the quorum.

## CONSTABULARY AND POLICE (IRELAND) [PAY AND PENSIONS].

RESOLUTION IN COMMITTEE.

Order for Committee read.

Motion made, and Question, "That Mr. Deputy Speaker do now leave the Chair,"—(*Sir William Harcourt,*)—put, and *agreed to.*

MATTER *considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of an increase of Pay of certain members of the Royal Irish Constabulary, and the Dublin Metropolitan Police Forces, and of an increase in their Pensions, and of Pensions, Gratuities, and Allowances for their widows and children in certain cases; also the payment, in certain cases, of deputies for the Divisional Justices of the Dublin Metropolitan Police District; and that it is expedient to amend the Acts regulating the Constabulary and Police in Ireland."

MR. SEXTON said, he must ask Her Majesty's Government for full information as to the details of the Bill it was proposed to introduce upon this Resolution, and also to state to what extent the Bill would entail a burden on the Public Revenue?

SIR WILLIAM HARCOURT, in reply, said, the request of the hon. Member (Mr. Sexton) was entirely reasonable; and the Government would take care that no progress was made with the Bill until full explanation had been given on the subjects referred to. The hon. Member would understand that, in the absence of his right hon. Friend the Chief Secretary to the Lord Lieutenant of Ireland, he (Sir William Harcourt) was not in a position to furnish the details of the Government proposal. The present stage, as the hon. Member would be aware, was purely formal.

MR. SEXTON: Will it be considered expedient to give the desired information on the first reading of the Bill.

SIR WILLIAM HARCOURT: That will be done.

Question put, and *agreed to.*

Resolution to be reported *To-morrow.*

### FOREST OF DEAN (HIGHWAYS) BILL.

Bill read a second time, and *committed* to a Select Committee of Nine Members; Five to be nominated by the House, and Four by the Committee of Selection.

*Ordered,* That all Petitions against the Bill presented two clear days before the meeting of the Committee be referred to the Committee.

*Ordered,* That the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against the Bill, and Counsel heard in support of the Bill, with power to send for persons, papers, and records.

*Ordered,* That Three be the quorum.

## *MOTIONS.*

### LOCAL GOVERNMENT (GAS) PROVISIONAL ORDER (FESTINIOG) BILL.

On Motion of Mr. HIBBERT, Bill to confirm a Provisional Order of the Local Government Board, under the provisions of "The Gas and Water Works Facilities Act, 1870," and "The Public Health Act, 1876," relating to the Local Government District of Festiniog, *ordered* to be brought in by Mr. HIBBERT and Sir CHARLES DILKE.

### PIER AND HARBOUR PROVISIONAL ORDER (NO. 2) (WHITBY) BILL.

On Motion of Mr. JOHN HOLMS, Bill to confirm a Provisional Order made by the Board of Trade, under "The General Pier and Harbour Act, 1861," relating to Whitby, *ordered* to be brought in by Mr. JOHN HOLMS and Mr. CHAMBERLAIN.

Bill *presented,* and read the first time. [Bill 158.]

### MUNICIPAL CORPORATIONS (BOROUGH FUNDS) BILL.

On Motion of Mr. DODDS, Bill to amend an Act of the Session of the thirty-fifth and thirty-sixth years of the reign of Her present Majesty, chapter ninety-one, intituled "An Act to authorise the application of Funds of Municipal Corporations and other governing bodies in certain cases," *ordered* to be brought in by Mr. DODDS, Mr. EDWARD CLARKE, Mr. JACKSON, and Mr. ST. AUBYN.

Bill *presented,* and read the first time. [Bill 159.]

### LANDS CLAUSES (UMPIRE) BILL.

On Motion of Mr. DODDS, Bill to amend "The Lands Clauses Consolidation Act, 1845," *ordered* to be brought in by Mr. DODDS, Mr. WHITLEY, Mr. JACOB BRIGHT, and Mr. CODDINGTON.

Bill *presented,* and read the first time. [Bill 160.]

### PUBLIC HEALTH ACTS AMENDMENT BILL.

On Motion of Mr. DODDS, Bill to amend the Public Health Acts in relation to private improvement expenses, *ordered* to be brought in by Mr. DODDS, Sir EDWARD REED, and Mr. ARNOLD MORLEY.

Bill *presented,* and read the first time. [Bill 161.]

House adjourned at Two o'clock.

## HOUSE OF LORDS,

*Wednesday, 2nd May,* 1883.

Their Lordships met;—And having gone through the Business on the Paper, without debate—

House adjourned at Four o'clock,
to Friday next, a quarter
past Ten o'clock.

## HOUSE OF COMMONS,

*Wednesday, 2nd May,* 1883.

MINUTES.]—PUBLIC BILLS—*First Reading*—Medical Act Amendment * [162]; Elementary Education Provisional Orders Confirmation (Cummersdale, &c.) * [163]; Local Government (Gas) Provisional Order (Festiniog) * [164].

*Second Reading*—Local Government Provisional Orders (Poor Law) * [149]; Limited Partnerships [18], *put off;* Steam Boilers (Persons in Charge) [57], *debate adjourned.*

*Second Reading—Referred to Select Committee*—Parochial Charities (London) [23].

*Report*—Local Government Provisional Orders * [142].

### INDISPOSITION OF MR. SPEAKER.

The House being met, the Clerk at the Table stated that he regretted to have again to inform the House of the continued indisposition of Mr. Speaker, and of his unavoidable Absence:—

Whereupon Sir Arthur Otway, the Chairman of Ways and Means, proceeded to the Table as Deputy Speaker, and after Prayers counted the House, and 40 Members being present, took the Chair pursuant to the Standing Order.

## MOTION.

## PARLIAMENT—ASCENSION DAY.

### MOTION FOR MEETING OF COMMITTEES.

Mr. GLADSTONE: I rise, Sir, to make the Motion of which I have given Notice, and I need not say more than a few sentences in submitting it to the House. It is, I believe, framed in the usual terms, and I understand it to be based upon the religious usages which affect the communities to which the vast majority of the Members of this House belong; and on that account the Motion has usually been allowed to pass, either with graceful concession on the part of those who do not partake of those precise usages, or with so much of protest as they have felt it right and necessary to make, but without exalting the matter into one of serious controversy, or infusing any bitterness of feeling into the discussion. Having said that, I think that any argument of which the matter is susceptible has been fully dealt with, and perhaps exhausted, upon former occasions; and I do not feel justified, considering how valuable the time of the House is, and how well-informed it is upon the subject, in further detaining the House, but will simply place the Motion in your hands.

Motion made, and Question proposed,

"That Committees shall not sit To-morrow, being Ascension Day, until Two of the Clock, and have leave to sit until Six of the Clock, notwithstanding the sitting of the House."—(*Mr. Gladstone.*)

Mr. ARTHUR ARNOLD said, he hoped that the House would not accede to the Motion. He did not wish to say a word against the religious usages referred to; but he wished to call attention to the fact that in these times there had been great changes as to the methods and hours of attendance at Church Services. There was not a single Member who had not, probably within a few yards of his house, a church at which there would be a Service at 8 o'clock in the morning; and he would further add that there would be the less inconvenience in an early attendance, as the House would rise at 6 that evening. Another reason why the usual practice should be departed from on that occasion was that the Standing Committee on Law would meet to-morrow, and also several Select Committees, in one of which a large number of his constituents were interested, and which they were attending at an enormous expense. It was a matter of great moment that the prosecution of these inquiries should not be hindered. He hoped the Motion would not be agreed to.

Mr. STAVELEY HILL ventured to think that the Motion of the Prime Minister would be accepted by hon. Gentlemen on the Opposition side of the House in the spirit in which it had been made—that they would thus allow many to show respect for the Holy Day. He had practised for many years before Parliamentary Committees; and he could state that no inconvenience had been caused, and nothing was lost, by the two hours' adjournment on Ascension Day.

Mr. GREGORY said, that, as one of those who, in former years, had a good deal of business before Parliamentary Committees, he could fully endorse the statement of his hon. and learned Friend (Mr. Staveley Hill) that the work of those Committees was never allowed to suffer in any degree from the observance of the usage to which the Motion before the House related. He hoped the House would accept that Motion in accordance with the custom it had so long maintained, and that the House would not be put to the trouble of a division on such a question.

Mr. WARTON, in supporting the Motion, objected to the hon. Member for Salford (Mr. Arthur Arnold) directing Members to go to church at 8 o'clock in the morning. It was his custom to attend Divine Service at 11 o'clock, and he intended to do so on Ascension Day.

Mr. ILLINGWORTH said, he did not wish to weaken the force of any conviction that might be held as to the sacred character of Ascension Day. At the same time, he was rather surprised that the Prime Minister had not been able to show that the great majority of Members had been found to be at church when the opportunity was given them for attending on that day. If that could be shown, the feeling in favour of the adjournment would, doubtless, be respected by the minority. He was also somewhat surprised at the views put forward by the hon. and learned Member for Bridport (Mr. Warton), who had that morning been busily engaged in preventing Members from being present at the religious Service at the commencement of the proceedings of that House.

Mr. WARTON: I rise to Order. I wish to ask if this has anything to do with Ascension Day?

The DEPUTY SPEAKER (Sir Arthur Otway): I have not heard anything in the remarks of the hon. Member which appears to me to be at all out of Order.

Mr. ILLINGWORTH said, that as the hon. and learned Member for Bridport was so sensitive—[Mr. Warton: Not at all.]—he would not pursue the point further. He objected to the Motion. It was an idle form. Hon. Members were not found at Church Services on Ascension Day; and the Motion, if agreed to, would cause much practical inconvenience to all those persons who were up in London from the country on Parliamentary Business, and to whom loss of time would be a serious matter; besides, he did not think that the House would be doing violence to the feelings of the Prime Minister if they tried to save public time to-morrow. It would be a great misfortune if the ordinary procedure of the Committees should be interfered with by the passing of this Resolution; and he felt satisfied that the great majority of people in the country would desire that the Public Business of the House should not be interrupted by this proposed adjournment.

Mr. GORST said, he considered that the opposition to the Motion was uncalled for, as the Motion was always made by the Government. The hon. Member spoke of Members of the House only; but he (Mr. Gorst) might be allowed to remind the House that there was a great number of officials in the House—Parliamentary Agents and others—who attended on business, and who expected that the Committees would not meet till 2 o'clock on Ascension Day; and no, doubt, all those persons had made arrangements accordingly. If the opposition to the Motion should be sanctioned, much inconvenience would be caused to those who had made their arrangements, as they would be in attendance. If it was intended to depart from the usual practice, the matter should be one for deliberate consideration, and be brought before the House on Motion. Then everyone would know what to expect, and no inconvenience would be caused.

Question put.

The House *divided*:—Ayes 69; Noes 20: Majority 49.—(Div. List, No. 79.)

## *ORDERS OF THE DAY.*

### LIMITED PARTNERSHIPS BILL.

(*Mr. Monk, Mr. Norwood, Mr. Lewis Fry.*)

[BILL 18.] SECOND READING.

Order for Second Reading read.

Mr. MONK, who had previously presented several Petitions from various Chambers of Commerce throughout the country in favour of the measure, in rising to move that the Bill be now read a second time, said, that it was part of a much larger measure brought forward in the last Parliament, at the instance of the Associated Chambers of Commerce, by the then Member for Plymouth (Mr. Sampson Lloyd). That Gentleman having lost his seat at the General Election, the Bill fell into his (Mr. Monk's) hands, when he succeeded to the Presidency of the Associated Chambers of Commerce, and was brought in by him last year and read a second time by the House. The original Bill was drawn by an eminent authority on the Law of Partnership—Mr. Pollock—and bore on the back of it the name of the Solicitor General, before his hon. and learned Friend became a Law Officer of the Crown. With the assent of the President of the Board of Trade, that Bill was referred to a Select Committee; and, as it originally stood, it dealt with three branches of the question—(1.) Consolidation of the Law of Partnership; (2.) limited partnerships; and (3.) the registration of firms. That Committee struck out the two latter portions of the Bill; and he (Mr. Monk) had so far acquiesced in the decision of the Committee that the measure had been divided into three separate Bills, and he had taken charge of one branch of the subject—limited partnerships—the other portions being left to his hon. Friends the Member for Leeds (Mr. Barran) and the Member for Dewsbury (Mr. Serjeant Simon). The object of this Bill was to extend to ordinary private partnerships the principle of limited liability in a fuller and more complete manner than was at present done by the Act of 28 & 29 *Vict.*, c. 86, which was brought in by Mr. Milner Gibson, then President of the Board of Trade. As the principle of limited liability had met with general acceptance and approval, it was needless to dwell upon its advantages to a commercial country. The subject of partnerships *en commandite* had often been debated in that House 20 years ago; and several Bills had been brought in by the late Mr. Scholefield, the last of which was referred to a Select Committee in 1863; but it was dropped in the House of Lords. In 1865, the then President of the Board of Trade brought in a Bill enabling a person lending money to a firm to receive a share of the profits without becoming a partner. In Committee on the Bill, Mr. Horsfall moved a clause in favour of registering the names of the partners and the amount of the loan; but it was rejected by a large majority. That Act, then, did not secure the advantages of registration and publicity. To remedy this defect in the Act of 1865, he (Mr. Monk) brought in this measure. The Bill would enable a firm to take in one or more partners, whose liability would, in case of bankruptcy, be limited to the sum contributed by him or them. It sought to establish the system which was known in France as the *commandite* principle in partnerships; but, in order to secure the privilege of that immunity, the following conditions would have to be observed:—First, the partnership contract must be in writing, and must contain a description of the nature of the business, and the name or names of the limited partners and of the managing partner or partners. It must also contain the amount contributed by the limited partners, and the dates of the commencement and the termination of the partnership. Such partnerships must be registered, and the Bill likewise provided for the registration of any renewal or alteration of the partnership, and prohibited the limited partner from taking part in the management of the concern. He might, indeed, give advice to the other partners, or he might call the manager to account for any mismanagement; but if he took any part in the management of the concern, his immunity would at once cease, and he would become a general partner. The profits were to be divided at stated times. He might remark that the system of limited partnership he proposed to adopt obtained in the greater part of the Continent of Europe and in most of the States of the American Union. It had been in vogue for a great many years, and had met with universal approval in those countries where it existed. The value of the system had long been recognized in this country, and was advocated by many of our leading commercial authorities and Chambers of Commerce throughout the country. His hon. Friend the Member for Burnley (Mr. Rylands), who intended to move the rejection of the Bill, would probably say that the Act of 1865 met all the necessities of the case. But the great flaw of that Act was that it did not provide for registration or any publicity whatever, no notice was given to creditors, and the loan might at any moment be withdrawn. Now, the main object of the present measure was to remedy that defect, and to secure the utmost publicity, so that the known wealth of the limited partners might not confer a fictitious credit upon the firm beyond what the loans justified during the period for which the money was lent. Perhaps his hon. Friend might think that partnerships *en commandite* were not required in this country; but, surely, if the limited principle was good for Companies, it must be good also for individuals under proper safeguards. His hon. Friend would probably allude to the Select Committee which considered the subject last year, and practically reported against the principle of limited partnerships. He (Mr. Monk) wished, therefore, to state that this course was taken by the Committee after four eminent men of business had given their evidence in favour of the principle, and that the hon. Member for Burnley carried by 7 to 4 a Resolution which was wholly unsupported by evidence; whereas the Secretary to the Treasury (Mr. Courtney), and his right hon. Friend the Member for Montrose (Mr. Baxter), voted in favour of the principle which this Bill sought to establish. The present Bill, which embodied the views of many great commercial authorities, contained ample safeguards against the abuse of the system of limited partnerships. When the Act of 1865 was before the House of Lords, Lord Wensleydale moved

Amendments for securing publicity and registration, and was supported by the great weight of legal authority in that House—by Lord St. Leonards, Lord Chelmsford, and Lord Kingsdown. Lord St. Leonards said that when the Bill was shown to the Judge of the Tribunal of Commerce at Lyons, he shook his head and held up his hands in amazement. It was difficult to understand why publicity was objected to. He would remind the House that a Royal Commission inquired into the subject and reported in 1854. Mr. Baron Bramwell was a Member of that Commission, and insisted on the desirability of leaving persons to act for themselves, and permitting them to enter into any engagement they might be willing to form. He considered that security to the creditor was assured by publication and registration. Mr. Kirkman Hodgson, for many years a Member of that House, was also a Commissioner, and said in a separate Report (page 35)—

> "I am of opinion that the greatest liberty should be given to all men to make such contracts as may seem to be to their mutual advantage, provided the terms are made known to all third parties with whom they deal, or, at any rate, that a means shall be supplied by which all third parties may be enabled, with ease, and at a very small expense, to ascertain the exact nature of the agreement between the contracting parties. This would be done in all cases of limited partnership by establishing a registry . . . open to the inspection of the public on payment of a trifling fee."

Again—

> "The experience of almost all countries where these partnerships have existed is decidedly in their favour. In France, Holland, Germany, Spain, the Levant, and the United States of America—countries differing in almost all the great characteristics of commercial enterprize—they have succeeded fully as well as the unlimited partnerships, and have, on the whole, been carried on with as much prudence, sagacity, and success.
>
> "Such partnerships would have the effect of linking capital more closely with industry, enterprize, and integrity.
>
> "This country is now almost the only one in which this law of limited partnership does not exist. . . . The isolation acts very injuriously in many cases to the English merchant. I could mention whole trades which, 30 years ago, were entirely carried on by English houses, in which, at the present moment, scarcely one is to be found. . . . Their places have been entirely supplied by foreigners, who establish branches of their houses here and in the manufacturing districts, while the main establishments—almost all under the *commandite* principle—are abroad.
>
> "This isolation between our laws and those of our customers will continually become more prejudicial."

He (Mr. Monk) felt that very little remained to be added to the convincing arguments of Mr. Hodgson. He would not weary the House with any other quotations from the Report of the Royal Commission of 1853; but he might state that among the witnesses examined, who were in favour of the principle of limited partnerships, were Mr. John Stuart Mill, Professor Leone Levi, Mr. Robert Lowe, Mr. M'Laren, Mr. Thomson Hankey, and Mr. Weguelin. He regretted the unavoidable absence that day of the hon. Member for South Essex (Mr. Baring) who stated in that House on the 4th June, 1880, that "he should be very glad to see the system of *commandite* made law in this country." As he had before mentioned, every witness examined before the Select Committee last year was in favour of the proposed change in the law. They were Mr. Hyde Clarke, the well-known Secretary to the Council of Foreign Bondholders, who had had great experience with the working of *Sociétés en Commandite* in France and Belgium; Mr. Crosby Brown, a member of the eminent firm of Messrs. Brown, Shipley, and Co. of London and Liverpool, and of Messrs. Brown and Co., New York, who gave most valuable evidence as to the working of limited partnerships in the United States of America; Mr. Edward Strong, a merchant of Boston, U.S.A., and Mr. Knowles, the President of the People's Savings Bank in Massachusetts. All those witnesses gave evidence in favour of the system of limited partnerships. The Members of the Committee expressed themselves satisfied with the evidence produced, and his hon. Friend (Mr. Rylands) called no witnesses to rebut the evidence of those gentlemen, but adopted the unusual course of moving that it was undesirable to proceed with the clauses in Part IV. of the Bill, and carried it against the wishes and the vote of his hon. Friend the Secretary to the Treasury. He would only briefly refer to the principal clauses of the Bill, and then submit the measure to the judgment of the House. Clause 5 provided that every limited partnership should be registered as such, or should, in default, be deemed to be a general partnership. If, then, there was any breach of the conditions out of which a limited partnership was established, the limited partner became a general partner, and was liable for his whole fortune. The most important clauses, however, were the 13th and the 14th. The former provided that the limited partner's share should not be paid out during the registered term; the partnership being registered for a certain period, during which no part of the limited partner's capital could be withdrawn. The 14th clause provided that the limited partner should receive no profit or interest on his money if, at any time during the registered term, his capital was diminished. This he regarded as most important. It was also provided that if the general partner became bankrupt, the limited partner should not be entitled to recover any portion of the capital he contributed to the firm until the claims of the creditors of the firm were completely satisfied. The part of the Bill dealing with registration received last year the sanction of his right hon. Friend the President of the Board of Trade (Mr. Chamberlain); and he therefore hoped the Government would support the Bill. Every safeguard, as he had shown, was granted to the public under the Bill; and he therefore appealed to the House to grant the measure a second reading—firstly, because of the advisability of allowing perfect freedom of contract between man and man with sufficient publicity; secondly, the necessity for the further development of capital in trade; and, thirdly, because of the inconvenience of our law being different from the laws of every other commercial country in this respect. He would now move the second reading of the Bill; and, in the event of the Motion meeting with a favourable reception, he should subsequently ask that it be sent to the Standing Committee on Trade and Commerce.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Monk.*)

Mr. RYLANDS, in moving that the Bill be read a second time that day six months, said, that it was important to notice the fact that much of the evidence on which the hon. Member for Gloucester (Mr. Monk) relied was given before the passing of the Limited Liability Acts; and it was given because it was felt that the operations of commerce in England were disadvantageously affected through the want of facilities for the employment of capital, except under conditions of such danger that many persons refrained altogether from engaging in business concerns. There were two Select Committees which inquired into this subject, and the hon. Member for Kingston-on-Hull (Mr. Norwood) was the Chairman of the one which sat in 1872, when the whole question was then gone into; and, having gone into it, the Committee did not report in favour of the proposal now before the House.

Mr. MONK wished to explain that he was a Member of that Committee. It had nothing to do with partnerships, but dealt solely with the question of the registration of firms.

Mr. RYLANDS said, he was willing to admit that its object was to get registration of these limited firms; but the question now under discussion was referred to at length, and the Secretary to the Board of Trade declared that it had been settled, in his opinion, by the votes of the House of Lords and the House of Commons. The hon. Member had not pointed out a single reason why the House should consider the Bill necessary. He had told them that various Chambers of Commerce throughout the country had petitioned the House in favour of it; but, for his own part, having some large connection with trade and commerce, he utterly denied that the Chambers of Commerce represented the great trading firms of the country; on the contrary, some of the greatest names in the trade of the country had no connection with Chambers of Commerce, which were composed of men who met together in a sort of mimic Parliament, and invented new ways of harassing commerce. The hon. and learned Member for Bridport (Mr. Warton) had been condemned for indiscriminately blocking Bills, and perhaps he had been a little injudicious; but the hon. and learned Member had more than once conferred a personal benefit on himself by blocking Bills suggested by Chambers of Commerce which he should have blocked, had they not already been blocked by the hon. and learned Member. It was not sufficiently understood that the Limited Liability Acts had brought into the commercial world such a plethora of capital as had greatly diminished the profits of traders during the last few years. He himself was concerned in a trading firm whose capital, amounting to £1,000,000, had, for the most part, during the last few years, failed to obtain the ordinary rate of interest. The hon. Member now wanted to bring more capital into business. He had always looked upon his hon. Friend as the Representative of the clerical element in the House; but the people who had suffered most from the operation of the Limited Liability Acts, and who would suffer most if this Bill became law, were the clergymen. The Limited Liability Acts had been useful; but they had also been abused, and now they were beginning to be understood. That being the case, it was unwise to introduce fresh legislation on the subject, especially legislation of this character, which was full of pitfalls, and which gave great facilities to unscrupulous men to rob other people, and to clergymen and ladies to lose their money. Suppose that a shrewd man desired to find partners with some capital to start a business, which, he said, would pay a high rate of interest. The shrewd man in London, having got the clergyman's £1,000, proceeded to do a large business, and a portion of the £1,000 was lost. But the shrewd man of business did not tell the clergyman that any portion of his capital was lost; on the contrary, he continued to pay him a high rate of interest for a year or two until he became bankrupt. When the bankruptcy of the shrewd man in London became known the clergyman told his family that it did not so very much matter, that they had other property to live upon, and that, after all, it was only the £1,000 that was lost. But Clause 14 of the Bill proposed to enact that if at any time after the capital was diminished the limited partner received interest on his share he should be liable as if he were a general partner. The result was that under this clause the clergyman would find that he was liable as a general partner, and his whole property would be swallowed up in the bankruptcy of the shrewd man of business. It was by means of such clauses as these that clergymen and women were fleeced. The hon. Member said that this danger might be guarded against by looking at the Register. But who did look at the Register? He had known men who had taken shares in a Company without ever seeing the articles of association. He objected to this wholesale plan for making pitfalls in which to entrap the unwary. Why, it was even proposed to enact that unless every particular relating to the limited partnership were entered upon the Register every limited partner should be treated as a general partner. The result of carrying out that proposition would be that two or three astute men would form themselves into a partnership, and would, in the words of the Bill, subscribe £5,000 each "in cash or otherwise," and having induced the clergymen and the women to join them in their enterprize, upon the assurance of success, they would enter into gambling transactions, with regard to raw cotton, for instance, to the extent of hundreds of thousands of pounds. If the speculation turned out unfortunate, it would generally be found that the three astute gentlemen had subscribed their capital not in cash, but "otherwise," with the result that when they became bankrupt it was impossible to realize a sixpence of it. Their unhappy limited partners, however, in consequence of some irregularity in the registration, would find themselves made liable as general partners. In short, this Bill was based on the principle—"Heads I win, tails you lose." It would put into the hands of dishonest men an instrument of fraud and robbery that would have a most serious and prejudicial effect on the community. In his opinion, the system of registration proposed in the Bill was insufficient to keep the country advised with regard to these limited partnerships. The question of partnership was a very delicate one, and ought not to be disturbed by amateur legislation. The hon. Member said he recognized the decision of the Committee; but had he really done so he would have abstained from bringing in the Bill. If the House were to meddle with partnerships after the present system, and the Limited Liability Acts had been, to a large extent, settled by Judge-made law, and were beginning to be understood, a very serious amount of litigation must again arise, and the public be put to a great additional expense. He did not think his hon. Friend, though he recognized his representative character, was acting as a true friend to the clergy in introducing the Bill, for the Bill would afford facilities for deceiving creditors and robbing such people as clergymen and spinsters, who had not sufficient experience of the ways of the world; but the hon. Gentleman was certainly acting as a true friend of the lawyers. Let the House look at Clause 16 if they doubted what he said. That clause provided that, subject to the provisions of the Act, the rights and duties of members of limited liability partnerships towards one another should be determined by the law for the time being in existence with regard to partnership. Altogether, he could conceive no more mischievous measure than this in regard to the interests of trade, the interests of those people who, having a little money, were looking out for an investment, and the interests generally of existing trading Companies; and, therefore, he moved that it be read that day six months.

Mr. SLAGG seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Rylands.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. NORWOOD said, he failed to see how the connection of the hon. Member for Gloucester (Mr. Monk) with the clergy, if it existed at all, could have any reference to the present Bill. He was astonished at the speech of the hon. Member for Burnley (Mr. Rylands), whom he had hitherto regarded as a foe to monopoly and a thorough-going reformer in all commercial questions. He had, however, delivered a speech which would have been more suitable for 50 years ago than the present time. He professed much fear that unwary clergymen and women might be entrapped by unscrupulous men of business into liabilities they did not contemplate; but it was evident that the opposition of the hon. Member for Burnley was not confined to philanthropic considerations for this class of investors, but to the protection of large capitalists. His argument seemed, on the present occasion, to be—"I am concerned in a business which has a capital of £1,000,000, some of which is not employed profitably; and I object to a Bill which will bring more capital into trade and still further lessen my profits." But what was the real object of the Bill now before them? It was not the sweeping measure described, but merely an amendment of the Act of 1865. That Act admitted the principle of limited liability in connection with private firms, and this Bill proposed to give the necessary publicity to such cases for the protection of the public. The Committee over which he had had the honour to preside were entirely in favour of that principle, and the strongest evidence was given by many eminent commercial men in favour of it. He did not understand his hon. Friend's attack on Chambers of Commerce. No doubt, they were not perfect assemblies—the House of Commons itself was not an absolutely perfect Assembly; but Gentlemen like the right hon. Member for Bradford (Mr. Forster) and the right hon. Member for Birmingham (Mr. Chamberlain) did not think them unworthy of their consideration. Under these circumstances, he thought the Bill was one which might very well go before the Standing Committee on Trade, when any alterations suggested by the hon. Member for Burnley could, if necessary, be adopted.

Mr. A. H. BROWN said, the Bill was directed to carry out the recommendation of the Select Committee which sat in 1865, and which reported explicitly in favour of the registration of the names of the partners, the amount of their interest, the amount of loans, and the periods for which they were advanced. He thought they must find out, in order to get at the root of this matter, how the foreign plans had worked. In America there was, in addition to the limited liability as it existed in England, a system of limited partnerships. The system was approved of in America, because it checked fraud to a considerable degree. The plan of registration employed under it enabled people to discover whether the firm could be trusted or not. American traders preferred trading with a firm where there was a limited partner than with one where there was no such partner. He was afraid that this Bill had not much chance of passing this Session; but what its supporters wanted was to have the principle of limited partnership recognized, so that, finally, it might be introduced as an adjunct to the partnerships of the country.

MR. ECROYD, as one of the Members of the Select Committee to which the Partnerships Bill of last year was referred, said, that this scheme, which was embodied in one of the sections of that Bill, was examined by the Committee with very great care, and rejected; and it was against the application of the principle of limited liability to private partnerships that he now desired to say a few words. While admitting that the principle, as applied to Companies, had met with a large measure of success, he felt bound to say that it had, to some extent, lowered the tone of commercial morality; and he believed that if it were applied to private partnerships there would be a still further decadence in that direction. In the case of Companies, a certain publicity was given to the accounts of the business, which would be wanting in the case of private partnerships, and thus many unsuspecting persons would be entrapped. Greater facilities would be afforded for mere speculation than existed at present, and temporary partnerships would be formed for a temporary purpose, which purpose would be simply the plunder of the unwary. Accounts would be manipulated, and profits would be paid out of capital, so as to raise the value of the partnership shares or interests, in order to mislead ignorant and unsuspecting persons. It had been argued that the principle, if adopted, would have the effect of attracting more capital into trade; but the evil under which commerce was now suffering was not want of capital, but the excessive pressure of capital—a pressure so great as to lead to questionable methods of trading, and to speculative transactions of a doubtful character, which but too often led to disastrous results. He believed, moreover, that the commercial integrity and prudence, which had been promoted by the sense of unlimited responsibility, would be lessened if a partner could shelter himself under the doctrine of limited liability. The actual manager of the business might be a person of no means, while the persons who found the money would remain in the background, and give a tacit sanction to modes of trading which they themselves would never practise. He also thought that the application of the principle to industrial undertakings was open to great objection, for it would tend to lessen that personal contact and good feeling which at present existed between employer and employed, since the actual manager of such an undertaking might not be the capitalist, whose duty and interest it was to cultivate intimate relations with his men. Even if this Bill passed the second reading, he would warn the hon. Member for Gloucester (Mr. Monk) against being too sanguine that it would come before one of the Standing Committees this year—indeed, looking at the state of Business in those Committees, he believed that it could not possibly do so. That could not be alleged, therefore, as a reason why the House should be asked to sanction the second reading. But, believing, as he had said, that the Bill would tend to lower the tone of commercial morality, and seeing many pitfalls and dangers in connection with the scheme, without any benefits of a practical character such as would warrant them in making the change proposed, he should vote against it.

MR. SERJEANT SIMON said, he would remind the hon. Member who had just sat down that, notwithstanding the happy relations which he said existed between employer and employed, it had been found necessary for the Legislature, from time to time, to step in and pass Acts for the protection of the employed—such as the Acts, for instance, for shortening the hours of labour, the regulation of factories and workshops, and for otherwise improving the condition of workmen. The hon. Gentleman opposite had said that the introduction of the principle of limited liability had lowered the tone of commercial morality. That was, however, a mere assertion, and no proof had been adduced by the hon. Gentleman in support of it.

MR. ECROYD explained that he had only stated it as a matter of opinion.

MR. SERJEANT SIMON remarked, that he did not share that opinion. The Bill was to insure publicity; whereas, under the existing law, a trader could be floated by a loan made in secret, and after the lender had had a good return for his money he could withdraw it, the creditors only being made aware of the fact when the crash came. Such a thing could not happen under this Bill, for there would be publicity throughout as to the relations in which traders stood with reference to persons advancing capital. There was a strong feeling among the commercial community in the borough he represented in favour of the Bill; and, therefore, he should vote for the second reading. He did not deny that the Bill, in some of its details, was susceptible of improvement; but he had not heard from the hon. Member for Burnley (Mr. Rylands) a single objection to the Bill that could not be remedied in Committee. He contended that the Bill was as much a public measure as if it had been brought forward by the Government itself. It was a Bill framed by the Associated Chambers of Commerce, who represented large commercial interests, and knew well what those interests required. Such a measure, therefore, could not properly be called amateur legislation. Many of the most important Statutes passed of late years proceeded originally from private Members.

Mr. BRINTON said, that the Bill had been recommended by several Chambers of Commerce on the ground that it would greatly promote trade by enabling small capitalists to invest their money remuneratively. Combination was now the only way by which such persons could manage to meet the competition of large commercial concerns. The Bill would probably be advantageous on the whole; but some of its details wanted re-modelling. It did not provide adequately for such matters as the transfer of the limited partner's share, or make it clear that an incoming general partner should be furnished with the fullest information as to the position of the concern in which he embarked. He supported the proposal to refer the Bill to a Select Committee.

Mr. GREGORY said, he considered it too late to object to the principle of limited liability; but he agreed that the details of the measure would require very careful consideration. The question was, to what tribunal could it be referred? A Select Committee hardly seemed feasible at this time of the Session.

Mr. MONK said, he intended to move its reference to the Grand Committee on Trade.

Mr. GREGORY said, he was not sure that that was not the worse alternative of the two, seeing the amount of work which the Committee had before it. The American system, which would be followed in some respects if the Bill passed, was full of defects, and sometimes involved the limited partners in very serious difficulties. As it stood, for instance, he did not see what would be the position of a limited partnership if a limited partner were to die, or what would be the effect of the Bill upon the estate and personal representatives of such partners. It appeared to him that there would be great risk of that estate being involved in an unlimited partnership and liability to any extent. This and several other matters would require the greatest attention. He would, however, be prepared to support the second reading, upon the understanding that the Bill should be carefully considered.

Mr. CHAMBERLAIN said, the Bill had given rise to a very interesting discussion, and in particular it had called forth an extremely able speech by the hon. Member for Burnley (Mr. Rylands), who, it seemed to him, had entirely destroyed, smashed, and pulverized the arguments of the hon. Member for Gloucester (Mr. Monk). There was absolutely nobody who had given anything like an unqualified support to the present Bill; and those who had spoken in its favour had spoken rather as the advocates of the particular views of Chambers of Commerce. The position of the President of the Board of Trade in matters of this sort was most difficult, as it was considered discourteous to oppose the preliminary stages of a Bill whose principle might not be extremely objectionable. It was true, as the hon. Member for Gloucester had said, that the Government had, on a previous occasion, assented to a Bill of this kind; but that was a consolidating Bill, and the Government had never assented to all its provisions, and particularly to those relating to the compulsory registration of partnerships. It had always appeared to him that the compulsory registration of partnerships, which was a crotchet of many Chambers of Commerce, would be a most mischievous and unnecessary interference with trading. The object of this Bill was twofold. The avowed object was to establish, or rather to extend, the application of the system of partnership which was well known abroad—a partnership by which the acting directors of a business were unlimited partners, while those who found the capital were only limited partners to the extent to which capital was invested. There was something to be said against such a partnership as this, because there was no doubt it tended to introduce as directors and managers of a business persons of straw, who had no direct pecuniary interest in the matter. At the same time, he believed the working of this system had not been objectionable in France or America. Providing there was proper protection in the shape of publicity, and that no steps were taken which were liable to lead the unwary astray, he should be inclined to allow persons to make any arrangement they chose for the conduct of their business. But when he came to look at this Bill, however, he found that it had been so carelessly drawn that, instead of attempting to amend it in Committee, the simpler plan would be to give it a *coup de grâce*, and to introduce a fresh one in its place. It was admitted by those who supported it that several of its clauses must be entirely reconstructed; but they said that was precisely the work for a Committee of that House. He, on the other hand, thought it was not the duty of the House of Commons to spend its valuable time in redrawing a measure on such a difficult and complicated subject as this. It was said that this was a question which the Government should take up. The Government, however, had introduced two great Commercial Bills in the course of the present Session; and if they became law the Grand Committee before which they had been sent would deserve the thanks of the commercial community for having dealt with them. The question of partnerships required as much close examination in detail as either bankruptcy or patents, and it was impossible to undertake that subject also. There was no better tribunal than the Grand Committee on Trade for dealing with the question; but it had only got through 19 clauses of the Bankruptcy Bill, and had still 148 to go through, and there were 100 clauses in the Patents Bill; and surely it would be too much to ask that unfortunate Committee to undertake the consideration of such a measure as the present Bill in September, or perhaps in October—if the House sat so long—when they had got through their arduous labours in connection with the other Bills. In these circumstances, he hoped that the hon. Member would feel that in bringing about this discussion his object had been attained, and would be content to leave the matter to the future consideration of the Government, who, on some fitting occasion, would feel it to be their duty to introduce a Bill dealing not as this did with one point only, but generally with the Law of Partnership. The hon. and learned Member for Dewsbury (Mr. Serjeant Simon) had declared that the Bill had been approved at the annual meeting in London of the delegates of the Chambers of Commerce. Knowing what he (Mr. Chamberlain) did, however, of what took place at those meetings, and what a brief time was given to the consideration of such matters as this, he did not feel much impressed by the fact relied upon by the hon. and learned Member. He would undertake to say that this Bill had not been considered for more than half-an-hour at the last meeting of what had been called the mimic Parliament at the Westminster Palace Hotel. He did not, therefore, see by what reasoning they should ask that House to abrogate its functions and accept the measure on such recommendations. If the hon. Member pressed the second reading to a division he should feel himself compelled to go into the Lobby with the hon. Member for Burnley.

Mr. W. E. FORSTER said, he regarded the principle of the Bill as good, believing that all persons should be allowed to join together under whatever conditions they pleased for the carrying on of legitimate business. The object of the measure was to secure that publicity should be given to these partnerships; and he should have thought that the Government would have had no difficulty, under the circumstances, in assenting to the principle. He could not but think that they ought to give full liberty for people to invest their money how they pleased, provided that proper provisions were taken to prevent their being taken in blindfold. All that Parliament ought to do was to insure that the buyer and seller knew upon what conditions they were dealing with each other. This Bill would, at all events, secure greater publicity on that point. He agreed, however, that there was no chance of the measure becoming law during the present Session. It would be impossible to send it to the Grand Committee. There never were more business-like discussions than were taking place before that Committee; but, from the fact of those discussions being business-like, there was not a single point which could be raised which was not raised. The result of referring the Bankruptcy Bill to this Committee would, no doubt, be that it would receive such a careful sifting and testing of its provisions as he did not believe any measure ever had before. The President of the Board of Trade suggested that the Bill should be dropped; but he (Mr. W. E. Forster) thought its principle was one which should be affirmed, therefore he should support the second reading. The measure came before the House with the cordial and thoughtful support of a large portion of the business men of the United Kingdom. He desired to point out that the right hon. Gentleman the President of the Board of Trade was in error in assuming that careful consideration was not given by the Chambers of Commerce to such measures as that now before the House. It was quite true that but little time might be devoted to their consideration at the general annual meeting in London; but they were very critically discussed in the different Provincial Chambers.

Mr. W. FOWLER said, that while he agreed, to a great extent, with what had fallen from the President of the Board of Trade, he could not see why, as no new principle was involved in it, the Bill should not be read a second time. There was much to be said for the principle that those who shared the profits of an undertaking should also share the risks. It was said that the Bill would create traps into which the unwary might fall. But ought they to cripple the action of reasonable men because there were fools in the world? There were frauds under the present system, and there would always be frauds so long as there were fools; and it was no business of Government to protect them from their own folly. As to the American law, he had seen for himself that it applied generally. Although he admitted that the Bill was carelessly drafted, he should support the Motion of the hon. Member for Gloucester, because he failed to see that danger would result from reading it a second time.

Mr. ILLINGWORTH said, he regretted that the President of the Board of Trade had not consented to allow the Bill to be read a second time, on the understanding that it should not be carried further during the present Session. The results of the Limited Liability Act had been very advantageous to the working classes, and the extension of the principle of that Act would produce still greater benefit, by encouraging capital and skill to combine. It would be well to encourage capitalists to advance limited sums to men possessing character and skill, and that was the result which the Bill was intended to bring about. It was loosely drawn; but that was rather a matter for consideration in Committee than in the House.

Mr. TOMLINSON opposed the Bill, on the ground that it would repeal the leading provisions of the Act of 1865, without substituting in their place a more satisfactory scheme. Under this Bill, if a limited partner, finding that the business with which he was connected was going wrong, were to do anything to remedy the evil, he would at once become liable as a general partner. The position of a person investing money on the terms which the Bill would sanction would be much less satisfactory than that of those who had capital invested on the terms laid down in the Act of 1865.

Mr. SLAGG reminded the House that there were many important Chambers of Commerce in the country which were not connected with the Associated Chambers of Commerce. He had a good deal of respect for the Associated Chambers, and should look with favour upon any Bill backed by their voice. He was, however, of opinion that the Bill was not demanded by any large and practical body of the commercial world. It seemed, indeed, to be more an emanation of the academic discussions of that itinerant Commercial Parliament—the Associated Chambers of Commerce—than a measure based on the commercial needs of the country. Looking at the Bill from the point of view of the cotton trade, he must say that the facilities for entering into that business were already extensive enough; and if one of the objects of the Bill were to enable outside persons to invest their savings in the risks and speculations of that trade, it was good reason why it should not be passed. He failed to see that the commercial community required the Bill, or that the Committees of the House who had considered it gave it the slightest support. The measure would open avenues of very great and serious risk, and might lead to much disaster in the case of clergymen, widows, and such like people, who might be betrayed by it into rash investments. The provisions of the Bill had not been thoroughly considered or digested, and he hoped the House would not pass it.

MR. WARTON said, he was delighted that the President of the Board of Trade had put his foot down upon the insane scheme of those self-constituted humbugs called Chambers of Commerce. This Bill was nothing but another of those wretched measures which emanated from those wretched Bodies; and he hoped the hon. Member for Gloucester (Mr. Monk), the President of those Bodies, would not only withdraw the Bill, but withdraw also himself from the position he held.

MR. HORACE DAVEY said, he did not agree with the right hon. Gentleman the Member for Bradford, who said that no new principle was embodied in the Bill. It did recognize a new principle, for it proposed that a firm might consist of two classes of partners—general partners and special partners. He could, from personal knowledge, assure the House that the New York Partnership Bill, on the lines of which this Bill was framed, had led to a vast amount of litigation, and had made it possible to lay traps into which many innocent people had fallen. Persons had suddenly found themselves liable for vast sums to which they never intended their liability to extend. The principle of the Bill deserved discussion; but, its provisions being crude and unworkable, and likely to lead to much litigation, he could not support it.

MR. FRESHFIELD said, he strongly objected to the principle of the measure. It would encourage many people who knew nothing about trade to invest their money in concerns of the stability of which they were quite ignorant. He thought the country could very well stop where it was. It was quite enough for people to be able to borrow money; but he objected to a measure which would have the effect of attracting money from persons who, when they had advanced it, had no means of exercising any control over it. It was true that this principle was known in France; but it had been found to be productive of much inconvenience and disappointment. He hoped the House would not assent to the second reading.

MR. MONK said, he thought the President of the Board of Trade—the new Minister of Commerce, he supposed he might call him—was hardly justified in the remarks he had made as to the treatment of Bills by the Chambers of Commerce. The right hon. Gentleman did not inform the House that he accepted at his hands last year a Partnership Bill of which this Bill formed a considerable portion. It was also very remarkable that the Solicitor General had his name on the back of the same Bill in 1879-80, which the right hon. Gentleman now said was so badly drawn that it ought to be kicked at once out of the House.

MR. CHAMBERLAIN: Does the hon. Member mean to say that I accepted this Bill? I never saw it until the present Session.

MR. MONK replied, that in 1881 the right hon. Gentleman had accepted the Partnerships Bill, which contained the principle of limited partnerships, but which, after a while, he found he was not able to introduce himself, owing to pressure of Business. He then recommended him (Mr. Monk) to get it introduced in the House of Lords, and Lord Cairns would have taken charge of it in that House had there been sufficient time to carry it through.

MR. CHAMBERLAIN: I must beg my hon. Friend's pardon. I do not agree with him, and cannot admit that I did accept the Bill in the way he says I did.

MR. MONK said, he should be happy to produce a copy of the Correspondence, which, no doubt, he could obtain as an unopposed Return. The Bill was drafted at the instance of the Chambers of Commerce by a friend of the hon. and learned Member for Christchurch (Mr. Horace Davey), Mr. Pollock. If the hon. Member for Preston (Mr. Ecroyd) and the hon. Member for Burnley (Mr. Rylands) objected to the measure, they ought to move for the repeal of the Act of 1865, as this Bill was merely an extension of that Act, and enforced publicity and registration, which would be altogether in favour of creditors. He would only add that he was astonished that the right hon. Gentleman who had accepted the post of Minister of Commerce should have spoken as he had about the Chambers of Commerce.

Question put.

The House *divided:*—Ayes 49; Noes 159: Majority 110.—(Div. List, No. 80.)

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

## PAROCHIAL CHARITIES (LONDON) BILL.

(*Mr. Bryce, Mr. Pell, Sir Henry Peek, Mr. Walter James, Mr. Cohen, Mr. Davey.*)

[BILL 23.] SECOND READING.

Order for Second Reading read.

**Mr. BRYCE**, in rising to move that the Bill be now read a second time, said, that this was the third time the Bill had been before the House. In 1881 it received the sanction of the Government and of both sides of the House, but was talked out. In 1882 it had been read a second time and considered by a large Select Committee, which sat for six weeks; but when it returned to the House it was blocked and lost for the Session. He had brought it in this year in the form recommended by the Select Committee of last year, which was presided over by the First Commissioner of Works. It proposed to apply to purposes presently beneficial to the inhabitants of all London charitable funds now wasted in the ancient City. This ancient City of London consisted of only one square mile, the population of which had been gradually diminishing, the area formerly occupied by residences being now filled by warehouses and offices. At the present time the population numbered less than 50,000, whereas in 1851 it was 150,000. In proportion, however, as the population had diminished, the parochial charities had steadily increased in value to such an extent that they now represented a total annual value of about £130,000, a sum which, by judicious management, might very soon be increased to a gross aggregate of £200,000 a-year. These charities were attached to particular parishes. There were 108 civil parishes in the City, and many of them had no population at all, except the two or three people who lived as caretakers in some huge piles of offices, the church officials, and the almspeople. The objects upon which the secular funds were spent might be divided into three classes. Some of these objects were obsolete—as, for instance, sermons on the defeat of the Spanish Armada, money to redeem captives from Barbary, or to buy faggots for burning heretics. Not less than £10,000 a-year was wasted in doles to the poor, which only had the effect of keeping up a pauperized class and deterring people from earning a livelihood by honest industry. Then large sums were spent in banquets, for the purpose, it was said, of promoting good fellowship. The money was, in fact, doing little or no good, and, to some extent, positive harm. Some idea of the effect of the present administration of the charities might be obtained from the fact that the ratio of persons receiving outdoor relief in the whole population of the Metropolis was one in 37, whereas the ratio in the ancient City of London was one in 16. The amount spent in outdoor relief in the whole Metropolis was at the rate of 1*s.* 2¼*d.* per head, while in the ancient City of London it was 4*s.* 4½*d.*—nearly four times as much. He was bringing no charge against the trustees of these charities; the present abuses were the result simply of the law, perpetuating a state of things which London had entirely outgrown. The present Bill proposed, first, to appoint a Commission with full power to inquire into the condition of the charities, and to separate the ecclesiastical from the secular funds. The question had arisen whether there should be a special Commission, or whether the inquiry should be conducted by the Charity Commissioners. The Select Committee had expressed the opinion that it would be better, for the sake of economy and speed, that the inquiry should be conducted by the Charity Commissioners, and the Bill adopted that view. Secondly, it was proposed that the surplus ecclesiastical funds should be handed over to the Ecclesiastical Commissioners; while the funds classified as secular should, after making due provision for vested interests, and for such present objects of the charities as might be beneficially continued, be applied to purposes of education, the establishment of Libraries, Museums, Art Collections, open spaces and recreation grounds, provident institutions, and convalescent hospitals. A general power would also be given to the Commissioners to propose the application of part of the money to any other useful purposes not specified in the Bill which they might see cause to recommend. It was also proposed that this application of the money should extend over the whole Metropolitan Police District—that was, for the benefit of 4,000,000 people. He believed there would be no opposition to the general scope of the measure. It was admitted that something must be done, and that the reform ought to proceed on the lines he had indicated; but he understood that some of the churchwardens who were *ex officio* trustees of charities thought the Bill went too far, and that the management of the charities ought to remain in their hands. It was, however, very undesirable that there should be a great multiplicity of governing bodies, because this involved needless expenditure and a complexity which prevented applications to large purposes. There was another point of view from which the Bill was criticized—that of those who held that the ecclesiastical part of these funds ought to be taken away from the Church of England and thrown into the general secular funds. Personally, he agreed with this view, because he conceived the Church of England would be benefited by disendowment; but, considering the opposition which such a proposal would excite, and the desirability of no longer delaying a reform so much needed, he had thought it wise to propose no alteration of the law in this respect. He should be glad to let the Bill go to the same Select Committee which considered it last year. He now earnestly begged the House to allow this great reform to be carried through, and thus to remove the obstacles which now dammed up and rendered useless, or worse than useless, what ought to be a fertilizing stream of wealth. He appealed to the friends of the churchwardens to raise their minds above those personal or local feelings which made them wish to retain the control of these endowments. And, finally, he entreated the whole House not to let this Session pass without giving the benefit of these enormous funds to the poorer classes of London, who so sorely needed those means of enlightenment and enjoyment which might thus be brought within their reach. He also appealed to his Nonconformist Friends not to allow their abstract principles—principles which, however important, could find no present application here—to interfere with so important a measure of practical reform. In conclusion, the hon. Member moved the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Bryce.*)

MR. WARTON said, he understood that the hon. Gentleman had proposed that the churchwardens and other persons interested in the Charities should have the opportunity of appearing by counsel before the Committee, which would consequently be able to act judicially in the matter. This being the case, he would not pursue the course he adopted in opposing the Bill two years ago, before that pledge was given.

MR. SHAW LEFEVRE, as Chairman of the Committee to which the Bill was referred last year, expressed a hope that the House would assent to the second reading. He did not think the hon. and learned Member for Bridport (Mr. Warton) correctly understood what fell from his hon. Friend the Member for the Tower Hamlets (Mr. Bryce). What he understood his hon. Friend to say was that counsel would be heard on the clauses, but not on the general principle of the Bill. He hoped the same tactics would not be pursued this year as were pursued last year—that the Committee would not be treated with something like contempt; by threats that if its decisions were not favourable to the views of the Trustees of these Charities, the further progress of the measure would not be blocked. It was an important measure, and ought to be passed without delay. Under the present system there was an enormous waste of money, and Charities to the extent of £140,000 a-year, which might be easily made £200,000 a-year, were now worse than wasted. The object of this Bill was to divert these charitable endowments for the benefit of the whole of London, and the sooner that object was attained the better it would be.

MR. ILLINGWORTH said, he could not help remarking that under this Bill half of this money would go to the Ecclesiastical Commissioners for Church purposes. That would lead to the creation of new Church interests, which he much deprecated. He thought that it would be better to wait for the creation of the New London Municipality before dealing with the question. The Charities had waited so long that they might well wait a little longer for the settlement of the whole question. He was so strongly in favour of local self-government that he would rather the Bill was postponed than legislate on the lines at present proposed.

MR. R. N. FOWLER held that, whatever was done with the money in question, it should not be applied to secular purposes. The hon. Member for Bradford (Mr. Illingworth) never rose in the House but to attack the Church of England.

MR. ILLINGWORTH demurred to that statement. He was as true a friend, and a much safer one, of the Church of England than the hon. Alderman.

MR. R. N. FOWLER said, he was glad to hear the hon. Member's disclaimer. He understood that the Bill was to be referred to a Select Committee, before whom counsel were to appear on behalf of the City parishes, and he should not, therefore, oppose the second reading.

MR. LYULPH STANLEY expressed a hope that in the destination of these surplus Church funds the principle of the Endowed Schools Act would not be overlooked. In his opinion, the Bill would have been better had it not proposed to continue the application of these funds to ecclesiastical purposes. He protested against ecclesiastical endowments in the City of London being merely extended to the whole of the Metropolitan area.

SIR EDWARD WATKIN asked, whether the Government, who were about to bring in a Bill for the reform of the Corporation, were prepared to leave the question in the hands of private Members? The question was so large that it ought not to be thus left without at least some more clear idea of the course which the Government proposed to take. The capitalized value of the Charities to be interfered with was £6,000,000 sterling. Not a word had been said as to the actual views of the Government itself. He presumed they had some opinion or other on the subject.

Question put, and *agreed to.*

Bill read a second time, and *committed* to a Select Committee of Eighteen Members, Twelve to be nominated by the House and Six by the Committee of Selection:—That Mr. SHAW LEFEVRE, Mr. CUBITT, Mr. BARING, Mr. BRYCE, Mr. HORACE DAVEY, Mr. FIRTH, Mr. GORST, Mr. WALTER JAMES, Mr. WILLIAM LAWRENCE, Mr. MACFARLANE, EARL PERCY, and Sir MATTHEW RIDLEY, be Members of the Committee.

*Ordered,* That all Petitions against the Bill presented two clear days before the meeting of the Committee be referred to the Committee.

*Ordered,* That the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against the Bill.

*Ordered,* That the Committee have power to send for persons, papers, and records; Five to be the quorum.

## STEAM BOILERS (PERSONS IN CHARGE) BILL.—[BILL 57.]

(*Mr. Broadhurst, Mr. Burt, Mr. Craig.*)

### SECOND READING.

Order for Second Reading read.

MR. BROADHURST, in moving that the Bill be now read a second time, said, the object of the Bill was to insist upon men in charge of steam boilers and engines holding their certificate from the Board of Trade, in much the same manner as was now done with regard to engineers in the Marine Service.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Broadhurst.*)

MR. WARTON said, that the House should not be asked to pass the Bill altogether without consideration——

And it being a quarter of an hour before Six of the clock, the debate stood adjourned till *To-morrow.*

---

## PARLIAMENT—RULES AND ORDERS—SITTINGS OF GRAND COMMITTEES.

### MOTION FOR ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."

MR. GIBSON said, he had been given to understand that the Order of the House passed early in the Session as to Committees would be held to apply to the Grand Committees. If there was one thing made more clear than another during the Autumn Session, it was that these Committees should not sit simultaneously with the House, except by special Order of the House. He did not regard the Order passed that day as in any sense a special Order applying to Grand Committees; and, therefore, if any attempt were made to-morrow to continue the sitting of the Grand Committee on which he served after the hour when the House would meet, he should challenge the proposal, and move the adjournment of the Committee.

MR. CALLAN said, he was of opinion that an explanation ought to be given to the right hon. and learned Gentleman by some occupant of the Treasury Bench.

LORD RICHARD GROSVENOR said, that the Prime Minister had obtained the best advice which could be got upon the question before he made his Motion, and it was understood that the Grand Committees came under the Rule applicable to other Committees on Ascension Day. It was also thought that the House had sufficiently assented to the proposal.

MR. BERESFORD HOPE said, that the noble Lord had himself proved the validity of the objection. It was last autumn distinctly laid down, when the new Standing Order was under discussion, that to enable the Grand Committees to sit while the House was itself sitting, a specific Order must be made. No such Order had been made in the present case, and, therefore, the Grand Committee was precluded from sitting to-morrow after 4 o'clock.

MR. W. H. SMITH said, that, according to his recollection, an understanding was come to in the autumn to the effect that Standing Committees should not sit concurrently with the House, the reason being that if both the House and a Committee were to sit at the same time one or the other must lose the services of a large number of Members. It would, in his opinion, be a distinct breach of faith if an attempt were made to prolong the sitting of any Standing Committee after 4 o'clock to-morrow.

MR. RYLANDS said, he agreed with the views expressed from the opposite Benches. He felt sure that if the Prime Minister were present he would unhesitatingly admit the justice of the contention of the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson).

MR. WARTON said, he could only characterize the proposal of the Government as a scandalous breach of faith.

MR. SEXTON said, that, as a Member of the Standing Committee on Law, which met to-morrow, he should, if any attempt was made to prolong the proceedings after a quarter to 4 o'clock, support the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) in his Motion for Adjournment.

Motion *agreed to.*

House adjourned at five minutes before Six o'clock.

# HOUSE OF COMMONS,

*Thursday, 3rd May,* 1883.

---

MINUTES.]—PRIVATE BILL (*by Order*)—*Withdrawn*—South Eastern Metropolitan (New Cross, Lewisham, and District) Tramways*.

PUBLIC BILLS—*Ordered—First Reading*—Gas and Water Provisional Orders (Bilston Gas, &c.)* [165]; Gas and Water Provisional Orders (No. 2) (Blandford District Water, &c.)* [166].

*Second Reading*—Parliamentary Oaths Act (1866) Amendment [89] [*Fifth Night*], *negatived.*

*Third Reading*—Local Government Provisional Orders* [142], and *passed.*

## PARLIAMENT—MR. BRADLAUGH.

### PERSONAL EXPLANATION.

MR. E. STANHOPE: Sir, on Monday last I used language attributing to Mr. Bradlaugh the authorship of a certain book of Secularist hymns. Mr. Bradlaugh has since written to me saying—"I neither wrote the book nor edited it. I only wrote a short preface to it." Accepting that assurance, it is due to Mr. Bradlaugh and to the House to make the contradiction as public as the original statement.

## *QUESTIONS.*

## ARTERIAL DRAINAGE (IRELAND) ACTS.

MR. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that an application was recently made to the Board of Public Works on behalf of a number of occupiers of land in the county Wicklow, adjacent to the Railway Station at Kilcool, intimating their desire to obtain a joint loan for the purpose of arterial drainage, and that the Board declined to entertain the matter on the ground that they have no power; and, whether he will inquire into the circumstances, and if necessary propose a Clause in the Loans Consolidation Bill, promised by the Financial Secretary to the Treasury, to meet such cases?

MR. COURTNEY: Sir, the facts are as stated; but it should be added that opportunity was given to the occupiers to apply for separate loans. I am not sufficiently informed as to the details of this particular case to be able to say whether it could be met by an enlargement of the definition of owner in the Arterial Drainage Acts; but that is a point to be considered in connection with the Consolidation Bill.

## CUSTOMS IMPORTS—TABULATION OF BUTTER SUBSTITUTES.

MR. MOORE asked the President of the Board of Trade, Whether any steps have been taken by the Statistical Department of the Board of Trade, or the Board of Customs, to tabulate more accurately the different imports of butterine, oleomargarine, and other butter substitutes?

MR. COURTNEY: Sir, my right hon. Friend has asked me to answer this Question. The proposal to raise a separate heading in the Trade Returns for butterine, and also for lard and other imitation cheese, has been considered by the Statistical Inquiry Committee, who have recommended, though not without doubt, that new headings should be raised for these articles. But as the officers of Customs have no means of verifying the importer's description in such cases, it was advised that a note should be added to the effect that there was no guarantee that the articles described as cheese and butter are not largely composed of mixtures. The Treasury are prepared to adopt this scheme as an experiment, and have embodied their views in a Minute dealing with the whole Report of that Committee. Before actually carrying out the various changes approved, we are awaiting the observations of the Departments upon the Treasury Minute.

## POST OFFICE (IRELAND)—GLENCAR, CO. LEITRIM.

COLONEL O'BEIRNE asked the Postmaster General, If he can now state if any and what decision has been arrived at with regard to the establishment of a post office at Glencar, county Leitrim?

MR. FAWCETT: It has been arranged, Sir, that the post office shall be opened at Glencar as soon as the postmaster is appointed.

## THE IRISH LAND COMMISSION (SUB-COMMISSIONERS)—MR. M'DEVITT.

MR. TOTTENHAM asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is the case, as stated in the "Dublin Evening Mail" of 27th April, that the Sub-Commission under the Land Act, of which Mr. M'Devitt is the legal Member, sat for two months during his absence from illness; if he can state under what rule of the Chief Commissioners it is competent for a Sub-Commission to sit without its legal president; and, if any inconvenience or delay arose in consequence of such absence?

MR. TREVELYAN: Sir, in all questions relating to the proceedings of the Land Commissioners I prefer to read their own replies. I have received a letter from the Commissioners, from which it appears that Mr. M'Devitt has been ill more than two months, and during that time the Sub-Commission has transacted business without him, postponing cases for his attendance when required. Inconvenience and delay have been caused by Mr. M'Devitt's enforced absence, as inconvenience must inevitably occur when a public officer is temporarily disabled. According to the original rules of the Land Commission, the Sub-Commission would ordinarily contist of three members; but it consists of a greater or less number, as the Commissioners deem right, and in special cases. The Sub-Commissions now, by order of the Commissioners, are each composed of five members. Neither in the rules of the Commissioners nor in the Land Act is there any direction that one member of a Sub-Commission must necessarily be a legal Assistant Commissioner. Mr. M'Devitt is expected to resume his duties shortly. I am told from private sources that there have been no appeals on a point of law from the Sub-Commission's decisions.

### POST OFFICE (IRELAND)—THE BELFAST LETTER CARRIERS AND THE GOOD SERVICE STRIPE.

MR. BIGGAR asked the Postmaster General, Whether it is a fact that several letter carriers in Belfast who have served for over five years without complaint, have not got the good service stripe; and, if so, would he explain the reason?

MR. FAWCETT: Sir, in reply to the hon. Member, I may state that the number of good conduct stripes allotted to each locality is limited. They are conferred upon the most deserving letter carriers, and therefore it does not follow that any particular letter carrier who has not obtained a good conduct stripe at the present distribution will always be debarred from receiving one. Each man's claims will be considered as vacancies occur. The number of letter carriers at Belfast who have received good conduct stripes is 17.

### ARMY (AUXILIARY FORCES)—THE ANTRIM ARTILLERY.

MR. BIGGAR asked the Secretary of State for War, When the present Adjutant of the Antrim Artillery was appointed to that regiment; whether it is a fact that since his appointment the Commanding Officer has been in the habit of incorrectly certifying that the Adjutant kept a horse, thereby enabling him to draw forage allowance; and, whether it is a fact that it is only within the last few weeks that this Officer has been in temporary possession of a horse?

THE MARQUESS OF HARTINGTON: Sir, Captain Robilliard was appointed Adjutant of the Antrim Artillery Militia on the 5th of September, 1880. With regard to the hon. Member's further inquiries, I should say that as the question involves a matter of discipline, it has been referred to the Adjutant General for investigation.

### PRISONS (ENGLAND AND WALES)—CONVICT LABOUR.

MR. GUY DAWNAY asked the President of the Board of Trade, What steps Her Majesty's Government are taking with respect to the Departmental Committee on Prison Labour; and, whether some arrangements will soon be made for the employment of convict labour in the construction of harbours of refuge?

SIR WILLIAM HARCOURT: Sir, I made a statement on this subject on the 23rd of February, to which I would refer the hon. Gentleman. If he refers to the Estimate for Convict Prisons, he will find that there is a Vote for commencing the building of a convict prison at Dover.

### POOR RELIEF (IRELAND) BILL—OUT-DOOR RELIEF.

COLONEL COLTHURST asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he will consider the advisability of introducing into the Poor Relief (Ireland) Bill a Clause giving power to the Local Government Board to authorise out-door relief when necessary in any given Union, thus assimilating its powers to those enjoyed by the English Board?

MR. TREVELYAN: Sir, I have already more than once fully stated in debate the views of the Irish Government on this matter, and I shall be prepared to do so again should occasion arise. I cannot undertake to introduce such a clause as is suggested.

### LANDLORD AND TENANT (IRELAND)—EVICTIONS ON LORD CLONCURRY'S ESTATES AT MURROE, CO. LIMERICK.

MR. MAYNE asked the Chief Secretary to the Lord Lieutenant of Ireland, Is it by authority from Dublin Castle that Constable Maurice Maloney is endeavouring to persuade Lord Cloncurry's evicted tenants at Murroe, county Limerick, to submit to pay his Lordship all costs, and his old rents, for a term of sixty years; is he aware that one of the results of this constable's visits to the evicted tenants is a fear of arrest for their refusal to comply with his requests; and, will he take such steps as shall prevent police constables going about amongst the tenantry of Ireland, and using the peculiar influence which the present state of the Law in that Country gives them in the financial interests of the landlords?

MR. TREVELYAN: Sir, Constable Maloney has received no directions, either from Dublin Castle or elsewhere, to act in the manner described, and he denies that he has done so either directly or indirectly. It is right, of course, that the authorities should endeavour to keep themselves informed as to the state of public feeling with regard to a matter which, while it remains unsettled, constitutes a standing menace to the peace of the district.

**Mr. PARNELL** asked whether the right hon. Gentleman had received any information as to the terms Lord Cloncurry had offered to his tenants?

**Mr. TREVELYAN**: I have not personally received any information since the earlier stage of the proceedings. I will, however, make it my duty to learn what those terms are.

## POOR LAW (IRELAND)—ELECTION OF GUARDIANS—MANORHAMILTON UNION.

**Mr. BERESFORD** asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the case that, at the recent election of Guardians for the Glenfarne Division of the Manorhamilton Union, the Reverends Messrs. Flynn and M'Ganran, Roman Catholic curates, made a house to house canvass in the interest of the Land League candidate, and promised seed potatoes and money to those who supported him, and whether this was done in opposition to the wishes of their ecclesiastical superior; whether, in the distribution of these funds, those who had paid their rents or voted for Mr. Maguire were excluded, and told they should not participate for those reasons; whether Mr. Flynn has been for some time past the recognised agent of the Land League in the district; and whether all the wooden huts, seed, and cash have been remitted to him for distribution; if it is true that a placard was taken down by the police from the gate of Glenfarne Chapel on Sunday the 15th instant, signed by B. Claney, the candidate supported by these clergymen, in which those who voted for Mr. Maguire were designated a "villianous gang;" and, what action it is proposed to take against those who have been guilty of these practices?

**Mr. TREVELYAN**: Sir, careful and minute inquiry has been made, the result of which is to show that the hon. Member has been misinformed on the subject. The reverend gentleman named did not act in the manner described. It is true that a placard bearing the name of B. Claney, and containing expressions of the character quoted was taken down by the police; but Claney denies all connection with the document, and the local police believe that he had nothing to do with it.

## POST OFFICE—MAILS TO THE NORTH OF IRELAND.

**Sir HERVEY BRUCE** asked the Postmaster General, Whether, when he is considering the practicability of accelerating the Scotch Night Mail Service as promised on Friday last, he will also examine if it would not be possible in connection with said service to accelerate the mail to Belfast and the North of Ireland viâ Carlisle, Stranraer, and Larne, the sea passage by that route being much shorter than any other?

**Mr. FAWCETT**: So far as I have been able to form an opinion, I do not think any general acceleration of the mails to Belfast and the North of Ireland, by the route indicated by the hon. Member, would be practicable. I can, however, assure him that any representations that may be made to me on the subject shall be carefully considered.

**Mr. LEWIS**: Are the people of the North of Ireland to take that as a general answer in the negative to their request for an acceleration of the mail service?

**Mr. FAWCETT**: No, Sir. The main question of acceleration will be most carefully considered with reference to the North as well as to the rest of Ireland. I am only referring now to the particular route indicated.

## LUNATIC ASYLUMS (IRELAND)—DUNDRUM LUNATIC ASYLUM.

**Mr. W. J. CORBET** asked the Chief Secretary to the Lord Lieutenant of Ireland, If he has noticed the following passage in the last Parliamentary Report on Irish Lunatic Asylums:—

> "Central Asylum, Dundrum.
>
> "We give as usual the Report of the Resident Physician and Governor.
>
> "As requested by the Inspectors, the Government assented to a Commission of Inquiry being held into the general local management of the Institution, and the official relationship existing between some of the officers, associating with them, for the purpose of a more efficient and exhaustive scrutiny, two experienced gentleman from other departments. Not only the imme-

diate investigations, but the drawing up of the reports thereon, extended over a considerable period, so numerous and varied were the points gone into;"

whether that statement refers to certain grave charges against the resident medical superintendent; whether it is true that his Report of his own management of the Institution is always inserted in the Annual Report to Parliament; whether a similar practice exists in regard to the other public asylums; and, whether, in view of the allegations made, he will cause all the Correspondence on the subject of the inquiry, together with the Official Reports of the Commissioners, to be printed in the forthcoming Report to Parliament?

Mr. TREVELYAN: Sir, the statement quoted refers to a Departmental Inquiry, held by order of the Government towards the close of 1881 and in the beginning of 1882, into a number of matters connected with the administration of the asylum. Among other matters inquired into there were charges and counter-charges between the resident physician and the late visiting physician—much more, however, on the part of the former than the latter. It is the case that the resident physician's report is inserted in the Inspector's Annual Report presented to Parliament. This is not done in the case of the district asylums. The Reports of Departmental Committees of Inquiry, such as that referred to in this Question, are always regarded as confidential, and I cannot undertake to lay the Report or the Correspondence relating to it on the Table of the House.

## PARLIAMENTARY OATH (MR. BRADLAUGH).

Mr. H. S. NORTHCOTE asked Mr. Attorney General, Whether, in the event of the Parliamentary Oaths Act (1866) Amendment Bill becoming Law in its present shape, it will be competent for Mr. Bradlaugh to take the Parliamentary Oath, should he elect to do so, in preference to making an Affirmation?

The ATTORNEY GENERAL (Sir Henry James): Sir, the answer I have to give to the hon. Member must depend upon the solution of a preliminary question to be determined by him and his Friends rather than by me. I understand the hon. Member for Exeter and those who agree with him to contend that Mr. Bradlaugh is disqualified from taking the Oath, and, in fact, that he cannot legally do so. If this be so—and I wish to lay stress upon the condition—Mr. Bradlaugh will not by means of the provisions of this Bill obtain any greater power to take the Oath than he now possesses. On the other hand, if he is now entitled—as many think—to take the Oath, he will under this Bill be entitled to substitute an Affirmation for the Oath.

## CONTAGIOUS DISEASES (ANIMALS) ACTS—FOOT-AND-MOUTH DISEASE.

Mr. GUY DAWNAY asked the Chancellor of the Duchy of Lancaster, Whether, with a view to extending the knowledge of the localities where foot and mouth disease is prevalent, and of the increase or decrease of the disease, and of thus diminishing the chances of its importation from infected counties, he will arrange that a weekly statement of the centres of disease, in the various counties in England, Scotland, and Ireland, shall be forwarded to the local authorities in each county?

Mr. DODSON: Sir, a list of the districts in which the existence of disease has been reported with full particulars as to the number of outbreaks and of animals attacked is published in *The London Gazette* every Friday evening for the information of local authorities and others interested. A similar return of infected districts in Ireland is published in *The Dublin Gazette* every Friday. The Privy Council could not undertake to send copies of the publications to all local authorities, between 400 and 500 in number.

## NATIONAL EDUCATION (IRELAND)—ASSISTANT TEACHERS.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that widespread dissatisfaction prevails among the national teachers of Ireland with respect to the rule of the Commissioners, made in May 1879, requiring an average daily attendance of seventy pupils to qualify a school for the employment of an assistant teacher, as compared with the former average of fifty pupils in female or mixed national schools, or of sixty pupils in male schools in Ireland, and the average daily attendance of sixty prescribed by the new "Mundella Code" in England; whether the new rule was imposed and has been insisted upon in defiance of the declared wishes of the bishops and clergy of all denominations who are interested as managers of the schools; whether it is the fact that the rule works with peculiar hardship to the teachers and injury to the children in poor but populous districts, where the attendances rises to ninety or one hundred during a portion of the year, but declines during other periods, owing either to the prevalence of distress or to the children being engaged in agricultural labour, so as to diminish the yearly average attendances below the standard required for an assistant teacher; and, whether, in deference to the strongly-expressed wishes of managers and teachers, he can see his way to advise the abrogation of the rule referred to?

Mr. TREVELYAN: I am aware, Sir, that the rule made in 1879 has not been received with favour by the national teachers of Ireland or by the Bishops and clergy. I have received a Report on the subject, which, however, does not fully satisfy my mind as to the rights of the case, especially as to the relative positions of Ireland and England. It is my intention to make further inquiries with a view to satisfy myself whether or not there is any just ground of complaint in the rule now enforced in Ireland, and whether the two systems cannot be made identical. There is a difficulty with regard to the monitors in one country and the pupil teachers in the other. With regard to the third paragraph of the Question, I may state that provision has been made to prevent the rule complained of from causing hardship in the manner described—the Commissioners of National Education in Ireland having made a rule allowing for the payment under such circumstances of temporary teachers.

## ARMY AND MILITIA (NUMBERS)—DEFICIENCIES.

Colonel MAKINS asked the Secretary of State for War, Whether Officers were included in the numbers of 6,256 deficiency in the Army, and 22,174 deficiency in the Militia given by him on the 10th instant; and what is the exact number of Officers of all ranks now wanting to complete the establishment of the Army and Militia respectively (in the United Kingdom)?

The Marquess of HARTINGTON: Sir, officers were included in the numbers stated in my answer of the 16th of April. In the Army they were 118 in excess. In the Militia there were 506 wanting to complete the total establishment; but of these 21 would not be appointed until certain additions to the rank and file had been raised.

## LAW AND POLICE (IRELAND)—ASSAULT BY A LANDLORD.

Mr. HARRINGTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true, as reported in the "Leinster Leader" of Saturday, that, at the Kilmeague Petty Sessions on Tuesday last, a man named Laurence Herbert, who described himself as a boycotted landlord, was prosecuted by a woman named Mary Donald for having assaulted her by striking her with a stick, knocking her down, loosening one of her teeth, cutting her head, and spraining her thumb; whether this assault was committed in presence of two policemen, who were standing on the opposite side of a canal from that on which the assault took place, but who made no effort to come to the woman's rescue; whether the policemen confirmed the woman's testimony as to the grievous character of the assault; whether the three magistrates who tried the case were landlords; and, if he approves of the punishment they inflicted by fining him five shillings for this grievous assault?

Mr. TREVELYAN: Sir, Laurence Herbert was prosecuted, as stated, by Mary Donald. The police did not witness any assault of the serious character described, but from the opposite side of the canal, and at a distance of about 200 yards, they saw Herbert give the woman a push, which knocked her down. She got up and went towards her house, and immediately afterwards she reported the matter at the police barrack, and stated that she was going to prosecute Herbert, but she did not complain of having been injured in the manner described, nor did she present any appearance of injury. The magistrates were, I presume, satisfied that the assault was not a serious one when they imposed a fine of 5*s*. Two of the magistrates were landlords.

## METROPOLITAN WATER COMPANIES —RETURN OF ACCOUNTS.

SIR R. ASSHETON CROSS asked the President of the Local Government Board, When the Return ordered by this House, as to the Accounts of the Water Companies, will be in the hands of Members?

SIR CHARLES W. DILKE, in reply, said, the Return was in the hands of the printers, and would, he hoped, be distributed before the Recess.

## ARREARS OF RENT (IRELAND) ACT, 1882—ALLEGED EJECTMENTS.

MR. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Messrs. Musgrave have served ejectments extensively among their tenantry in the parishes of Glencolumbkille and Kilcar for the year's rent due in November 1882; and, whether these tenants paid Messrs. Musgrave one year's rent last winter to obtain the benefit of the Arrears Act, and, in consequence of their efforts to make these payments, have since been dependent on charity for the support of their families?

MR. TREVELYAN: I am informed, Sir, that the Messrs. Musgrave have not served any ejectments upon their tenants in the districts mentioned; but in a number of cases they issued civil bill processes for rent to the April Sessions. No rent had been paid since the spring of 1882, except in two or three cases out of 169. The majority of the tenants processed settled before the Sessions. This question deals partly with matters which are not the subject of official record, and I would hardly be in a position to answer it if it were not that the gentleman who acts as agent to the Messrs. Musgrave has been good enough to write to me. He informs me that of the Glencolumbkille cases not one of the tenants processed was in the Arrears Court, and of the Kilcar cases two, to his knowledge, were in the Arrears Court—that is, possibly four out of a total of 169. I am informed that substantial relief has been recently given to a large number of the tenantry in these parishes in the shape of oats and potatoes, but that the payment of rent has not left them entirely dependent on charity.

## POOR LAW (IRELAND)—ALLEGED ILL-TREATMENT (LOUGHREA WORKHOUSE).

MR. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether an investigation was recently held at Loughrea Workhouse by Dr. M'Cabe, Local Government Inspector, respecting a charge made by the Catholic chaplain, on the authority of a patient in the hospital, that one of the nurses had placed her hand on a dying man's mouth in order to hasten his death; whether the representatives of the press, though admitted during the rest of the investigation, were excluded from the examination in the hospital of the patient on whose authority the charge rested; whether the medical officer of the Workhouse, Dr. O'Donohoe, swore that a strait waiscoat was put on a dying man named Forde, four hours before his death, by the master, and that this treatment not merely accelerated but caused the death; whether he has any objection to lay the notes of evidence taken by Dr. M'Cabe upon the Table of the House; and, what steps are proposed to be taken in reference to the abuses therein disclosed?

MR. TREVELYAN: Sir, an investigation was held, as stated, at the Loughrea workhouse, and it was proved that the charge against a nurse of having put her hand on the mouth of a dying man, as if to hasten his end, was wholly without trustworthy foundation. The assertion was made by a patient who is suffering from senile mental decay, and is full of delusions. As a matter of fact he was not in the hospital at all at the time which he fixes for the alleged occurrence. With regard to the alleged exclusion of newspaper reporters during the examination of this patient in the hospital, it appears that Dr. M'Cabe did not visit the hospital to take evidence, but to test the patient's mental capacity, and he thought it more desirable that this should not be done before strangers. If he had found the man capable of giving evidence he would have allowed the reporters to be present. The facts as to Dr. O'Donohoe's evidence about a strait-waistcoat having been put on a sick man are as stated. It was done by the master on his own responsibility, and in consequence of this and other misconduct he has been dismissed by the Local Government Board. There is no objection to the minutes of Dr. M'Cabes's inquiry being laid on the Table.

## PREVENTION OF CRIME (IRELAND) ACT, 1882—CLAUSE 16—SECRET INQUIRIES.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the sixteenth section of the Prevention of Crime (Ireland) Act gives any power to a resident magistrate, before whom witnesses may be summoned under that section, to make his court of inquiry a secret one; whether the examination is ordered to be held "at a police office, or the place where the petty sessions for the district in which the offence has been committed are usually held," and is several times declared to apply only to an inquiry concerning a specific offence; whether, nevertheless, inquiries under the sixteenth section have been held in gaols and in police barracks, and in Dublin Castle, and have ranged over a vast variety of general topics; whether a committal for refusal to participate in an inquiry thus conducted is legal; and, in the absence of publicity, what guarantee is afforded to a witness so interrogated that his answers will be truly taken down, and that he will not be subject to irresponsible imputations on his character, from the suspicions of the public on the one hand, and from the designs or malice of officials on the other?

Mr. TREVELYAN: Sir, in reply to the Question of the hon. Member, I have to state that the 16th section of the Crimes Act does not require an inquiry instituted under it to be conducted in public, and if, in the opinion of the magistrate conducting it, it is necessary that the inquiry should not be open to the public, it is lawful for him to conduct it in private, and I have to add that, by the ordinary law, in all cases of persons charged with indictable offences the examination of the witnesses by a magistrate may be conducted either in public or in private. I have further to say that certain of the inquiries under the section referred to were held in the Metropolitan Police Office, which is situated in the Lower Castle Yard. As regards also some of the prisoners in Kilmainham, who became approvers, and volunteered evidence, their informations were taken in prison, but they were so taken under and by virtue of a warrant, issued pursuant to the Dublin Act, 5 & 6 *Vict.* c. 24, under which Divisional Justices may be authorized to sit for the discharge of their ordinary duties at any place within the Metropolitan Police District—to take an information from a willing witness. This is part of the ordinary duty of a magistrate—and not under the Crimes Act, although some of them were erroneously described by the clerk as being also taken under the Act. I have made inquiries from the Criminal Investigation Department, and have been informed, that except as I have mentioned, they are not aware of any inquiries having been conducted in gaols or police barracks, and in the last inquiry instituted, and which is at present pending at Cork, strict directions were given for the holding of the inquiry as directed by the Act. I have to add that I have no reason to doubt the validity of any committal made by the magistrates conducting these inquiries, which have, in all cases, been confined to the topics connected with and arising out of the specific offence, the subject-matter of the inquiry; and to avoid the necessity of hon. Gentlemen asking a Question on the subject I may say that Mr. O'Connor's letter was written without a knowledge of the nature of the question which was going to be addressed to him. As regards the last paragraph of the hon. Member's Question, I have to state that the inquiries referred to have been conducted, and are being conducted by the responsible magistrate designated for that purpose by the Statute, and whose integrity and character have, up to the present, proved, and will, I have no doubt, continue to prove a sufficient guarantee for the upright discharge of their duties.

Mr. O'BRIEN asked whether there was any objection to persons examined as witnesses getting legal assistance, considering that these examinations were generally preliminary to subsequent charges?

Mr. TREVELYAN: I cannot answer that Question on my own authority.

## THE PUBLIC FUNDS—TRANSFER OF STOCK.

Mr. GREGORY asked Mr. Chancellor of the Exchequer, Whether he is aware that, notwithstanding the provisions of the Act 6 and 7 Will. 4, c. 86, the Bank of England declines to accept the certificate of the Registrar General, accompanied by a declaration of identity, as evidence of the death of a party whose name appears in their books as a proprietor of stock, either alone or jointly with others, and require a certificate of the burial of such person; and, whether the transfer of stock might not be facilitated by an alteration of the requirements of the Bank in this respect, with perfect security to that institution?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): Sir, in reply to the hon. Member I have to state that the Bank have power to call for such evidence as they may require of the title of a person claiming to make a transfer of stock. In the case of a transfer of stock standing in a single name, it is not usual to require proof of death by an extract from the register of burial, or by a certificate of death, although in exceptional cases it may be necessary. But where stock stands in the name of two or more persons it is usual to require either the production of probate of the will of the deceased, or evidence of burial. Before 1844 the Bank accepted in such cases a certificate of death; but a great forgery trial in that year rendered apparent the insufficiency of such certificates, and since that year the Bank have required the evidence now necessary. I am not satisfied that it would be safe to alter this rule.

## INLAND REVENUE—THE INCOME TAX ON AGRICULTURAL LAND (IRELAND).

MR. GORST asked Mr. Chancellor of the Exchequer, Whether Income Tax is levied upon landowners in Ireland in respect of rents which have never been received, but are compulsorily remitted under the provisions of the Arrears Act; and, if so, what measures Her Majesty's Government propose to take for the remedy of so obvious an injustice?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): No, Sir; the demand for Income Tax on agricultural land in Ireland is specially restricted to the actual rents received by landlords, and this rule applies equally to rents judicially reduced and to rents which have not formed the subject of any application to the Court. A Circular to this effect was issued in 1881, and again last year.

## INTERMEDIATE EDUCATION (WALES) —LEGISLATION.

VISCOUNT EMLYN asked the Vice-President of the Council, If the Government propose to lay upon the Table of the House, before Whitsuntide, the promised Bill dealing with Intermediate Education in Wales?

MR. MUNDELLA said that, owing to his enforced absence from the Privy Council Office for a month, the Bill dealing with this subject was not yet settled in all its details. He would, however, as soon as possible, lay the measure before the House.

## UNIVERSITIES (SCOTLAND) BILL.

MR. WEBSTER asked the Lord Advocate, If he can assure the House that the Second Reading of the Universities (Scotland) Bill will not be taken before the Whitsuntide recess, and that it will be brought forward at such a time as to afford full opportunity of discussion, and not at a Morning Sitting?

THE LORD ADVOCATE (Mr. J. B. BALFOUR: Sir, the second reading of this Bill will not be taken before the Whitsuntide Recess. I am not yet in a position to say anything further than that. I will endeavour to get the best arrangements made for the second reading as soon as possible.

## WESTERN ISLANDS OF THE PACIFIC — AUSTRALIAN COLONIES — ANNEXATION OF NEW GUINEA BY QUEENSLAND.

MR. BLAKE asked the Under Secretary of State for the Colonies, Whether the Colonial Office has received any communications from the Agents General of the other Australian Colonies on the subject of the annexation of New Guinea by Queensland; and, if he will specify from which Colonies, and the purport of their respective communications?

MR. EVELYN ASHLEY: Sir, the Agent General for New South Wales presented at the Colonial Office the following telegram from the Colonial Secretary at Sydney:—"This Government views favourably the annexation of New Guinea to the British Crown."

The Agent General for Victoria handed in the following telegram he had received from the Premier of Victoria:—"Promptly and earnestly support action of Queensland Government in annexing New Guinea." And from South Australia we have received a direct message from the Governor, Sir William Robinson, in which he says—

> "My Government requests me to convey their opinion that New Guinea should be under British rule, and hope the action of the Government of Queensland may have that result."

Mr. O'KELLY: May I ask whether Holland has abandoned her claims no New Guinea?

[No reply was given.]

## THE POLICE FORCE—COST.

Viscount FOLKESTONE asked the President of the Local Government Board, Whether the total cost of the police was for 1871, £784,000; for 1872, £813,000; for 1873, £863,000; for 1874, £919,000; for 1875, £938,000, for 1876, £978,000; and for 1877, £1,000,000; and, whether these figures do not show that the ratio of increase was considerably less since 1874, in which year the late Government gave the increased subvention, than it was for the three years preceding?

Sir CHARLES W. DILKE, in reply, said, that the figures of the noble Lord were correct in round numbers. The net cost in 1874 was £1,239,374, and the subvention £294,282; in 1881 the net cost was £1,106,453, and the subvention, £760,380; hence the ratepayers had been benefited to the extent of £132,921, at a cost to the Treasury of £466,098. As regards the ratio the noble Lord was perfectly correct.

## SOUTHPORT FORESHORE.

Mr. SUMMERS asked the Chancellor of the Duchy of Lancaster, Whether he will undertake that the sale of the Southport foreshore to the riparian proprietors shall not be completed until the House has had an opportunity of expressing its judgment upon it?

Sir R. ASSHETON CROSS asked the Chancellor of the Duchy of Lancaster, Whether the whole of the members of the Council of the Duchy, as well as the Chancellor, had an opportunity of expressing their judgment as to the sufficiency of the consideration offered by the Southport Corporation and riparian owners of North Meols, respectively, for the foreshore at Southport, arranged to be sold to the latter on the 9th ultimo, as provided for by "The Duchy of Lancaster Lands Act, 1855;" and, if not, if he could explain the reason; and, whether, there being no legally binding contract between the Duchy and the riparian owners, but merely a private agreement, the Chancellor will direct that the seal of the Duchy be not affixed to such private agreement until he has had an opportunity of considering the representations of the Southport Corporation concerning the agreement which they allege was come to between them and the Surveyor General of the Duchy?

Mr. DODSON: With regard to the first Question, Sir, as I have already twice stated in answer to my hon. Friend, a binding agreement has been made between the Duchy and the riparian proprietors from which neither party can recede. It is a legally binding agreement, and that being so, although the Duchy Seal may not be put in requisition for some time, it is clear that I can enter into no undertaking to withhold it. In answer to the second Question, I have to say that it is not necessary for the purposes of "the Duchy of Lancaster Lands Act, 1855," or for any other purposes, to convene the members of the Council. If the Chancellor sits by himself he is the Council, and what he does is described in documents emanating from such sitting as done by the Chancellor and Council. In this case, however, a member of the Council, an especially important one in view of the many legal considerations involved—namely, the Duchy Attorney General—was present. As I have already stated, there is a legally binding contract between the Duchy and the riparian owners—a contract made by the Chancellor and Council by their agent, acting by order of the Duchy Court. I cannot, therefore, direct that the Duchy Seal be not affixed to any instrument necessary to carry out that contract; but, as a matter of fact, it will not have been so affixed before I see the Southport deputation next week.

## POST OFFICE—THE PARCELS POST.

The O'DONOGHUE asked the Postmaster General, Whether arrangements have been made to connect the new parcel post system with France, Italy, and the other Countries in the Postal Union; and, if so, when the extension of the system to the Continent will come into operation?

Mr. FAWCETT: Sir, preliminary steps have been taken with the object of extending the advantages of the International Parcels Post to this country; but some time—at least several months—must elapse after the introduction of the Inland Parcels Post before the International Parcels Post could be brought into operation.

### NAVY—SEAMEN AND MARINES—ESTABLISHMENT OF A PENSION FUND.

Sir H. DRUMMOND WOLFF asked the Secretary to the Admiralty, Whether the Government will consent to the appointment of a Committee of this House to inquire into means of establishing a fund for providing pensions for the widows of seamen and marines?

Mr. CAMPBELL-BANNERMAN: Sir, it has been already announced that the Government intend to bring in a Bill enabling them to grant pensions to the widows of men killed in the Service. It is not at all contemplated to go beyond this limit, and we are not disposed to refer to a Committee of this House a question involving the novel principle of providing pensions for widows of seamen and marines—a principle which would, of course, have to be extended to apply also to widows of soldiers in the Army.

Captain PRICE asked whether the matter would be brought on before the Estimate of the Greenwich Hospital was laid on the Table?

Mr. CAMPBELL-BANNERMAN: Yes, Sir, before the Vote is taken.

### ARMY PAY DEPARTMENT.

Mr. MUNTZ asked the Financial Secretary to the War Office, If he could state when certain alterations in the conditions of service in the Army Pay Department are likely to be effected and published in the form of a Royal Warrant, or otherwise?

Sir ARTHUR HAYTER: The proposed changes affecting the pay, promotion, and retirement of the officers of the Pay Department were recommended by a Committee of which I was Chairman, and have been approved by the Minister for War. They have been submitted for the consideration of the Treasury, together with changes in other establishments under the War Office, and as soon as their Lordships' sanction is given, and Her Majesty's approval is signified, a Warrant will be issued. I have no reason to anticipate that there will be any long delay, but it has been found convenient to submit the whole of the changes in one Warrant.

### POST OFFICE (SAVINGS BANK DEPARTMENT).

Mr. KENNARD asked the Postmaster General, Whether he will state the extra cost for the current year resulting from the recent promotions to the upper classes of the Savings Bank Department; and, whether he considers these promotions a satisfactory settlement of the numerous grievances set forth in the memorial of May last and other documents; whether, in the event of his being unable to recommend any material improvement in the position and prospects of the male clerks, a Petition to this House would render them liable to official displeasure; whether the third class of the Savings Bank establishment will be increased during the current year; and, whether corresponding additions will be made to the upper classes?

Mr. FAWCETT: Sir, six new first class clerkships in the Savings Bank have recently been created, with salaries of £310, rising to £400 a-year each. Sixteen new second class clerkships have also been created, with salaries of from £200 to £300 a-year. Certain other additions to the force are being carried out, and the increase of cost during the current year is estimated at a little over £2,000. It is not intended to make any further changes at the present time, those recently made being considered sufficient to meet the requirements of the Public Service. With regard to the right of petitioning Parliament, I see no reason why the same rights which were stated the other evening by my right hon. Friend the Chancellor of the Exchequer to belong to clerks in the Inland Revenue Department should not also belong to clerks in the Savings Bank Department.

### THE LOCAL GOVERNMENT BOARD.

Mr. R. POWER asked the First Lord of the Treasury, If he is aware that the President of the English Local Government Board has recently undertaken to empower boards of guardians to dismiss officers of whose conduct they disapprove; is he aware that in Ireland boards of guardians have no such power; is he aware that his Government have at present a Bill before the House which proposes that boards of guardians should be compelled to give pensions to their officers whether or not such guardians considered the officers entitled to pensions; and, whether, under the circumstances, he will withdraw said Bill, and, as far as possible, give same power to boards of guardians in Ireland as English guardians of the poor are to have?

Mr. TREVELYAN said, that the hon. Member for Leeds (Mr. Herbert Gladstone), who had charge of the Bill referred to, might be trusted to see that no undue interference by the central authority with local authorities would be inserted. If the hon. Member for Leeds erred in the direction of giving the central authority too much power, it would be somewhat remarkable.

### CRIME (IRELAND)—MILTOWN MALBAY.

Mr. KENNY asked the Chief Secretary to the Lord Lieutenant of Ireland, If he has received a telegram from the Rev. P. White, parish priest of Miltown Malbay, challenging inquiry into alleged murders in Miltown Malbay district, and if he will read the message to the House; and, whether he will accept the invitation thus held out?

Mr. TREVELYAN: Sir, I have received a telegram from the Rev. Mr. White, which is founded on a misapprehension of what I said, but which, I think, does honour to the rev. gentleman, and ought to be read to the House. The telegram is as follows:—

> "Your statement that six murders were committed in this district last three years wholly unfounded. For seven years I have been here only one murder was committed within radius of ten miles, and that when landowner and tenant had just entered in amicable arrangement. No outrage on man or beast since. The people challenge inquiry."

The statement I made to the House was not that six murders were committed in the Miltown Malbay district. I have carefully looked at those papers which I could refer to at short notice, and I see that three of them reported my answer. In *The Freeman's Journal* it is incorrectly reported to the effect complained of; but in *The Irish Times* and the London *Standard* the report is, undoubtedly, as I stated—namely, that six murders had been committed in County Clare. The statistics from which I spoke related to County Clare, and I had no knowledge of the Miltown Malbay district as distinguished from the County. I have no doubt that the inhabitants of the district, if they examine other papers, will find that *The Freeman's Journal* was wrong. In Clare, as I previously stated, there were in the years 1880, 1881, 1882 either six or seven agrarian murders—one of them was rather doubtful as to its nature. There were also 14 cases of firing at the person, and 61 cases of firing at dwellings.

Mr. KENNY asked whether there had not been several convictions for these outrages, and also whether it was not generally supposed that the murder referred to was committed by Emergency men?

Mr. TREVELYAN: Of the seven murders committed in the County Clare, six are still undetected.

Mr. HARRINGTON inquired whether the right hon. Gentleman had included in that statement the murders committed by the police at Bodyke?

[No reply was given.]

Mr. O'KELLY asked whether the paragraph which had appeared in the public Press was true—that the examination in the case of Carmody referred to transactions extending over a period of 18 years?

Mr. TREVELYAN: I am unable to answer that Question.

Mr. O'KELLY: I will give Notice.

### PARLIAMENT — BUSINESS OF THE HOUSE.

Earl PERCY asked the Secretary of State for War, When he proposed to bring on the remaining Votes in the Army Estimates?

The Marquess of HARTINGTON said, he feared there was no probability of bringing on the Army Estimates before the Whitsun Holidays. But before the Holidays his right hon. Friend the Prime Minister would make a statement with regard to Public Business.

Mr. J. STEWART asked the First Lord of the Treasury, Whether it was the intention of the Government to announce before the House rose at Whitsuntide what arrangements were proposed for the conduct of Scottish affairs in Parliament?

Mr. GLADSTONE said, he had to confirm the statement made by his noble Friend in answer to the previous Question, and to say that in such explanations as he should give there would be an announcement of the views of the Government on the subject referred to.

## MR. BRADLAUGH AND THE NATIONAL CLUB.

Mr. CALLAN asked the Prime Minister a Question of which he had not given him Notice, but which he would, no doubt, be able to answer—namely, Whether it was true that Mr. Bradlaugh had been proposed as a member of the National Liberal Club; whether his election had been postponed; and, if so, whether it had been made contingent on the passing of the Affirmation Bill or the recantation of his Atheistical opinions?

[No answer was given to the Question.]

## PARLIAMENT—THE COMMITTEES AND ASCENSION DAY.

In reply to Mr. Arthur Arnold,

Sir JOSEPH BAILEY said, that the reason why the Select Committee on the Manchester Ship Canal Bill did not sit until 6 o'clock was because the Resolution of the House gave permission to sit until that time, and not contain a direction, and in rising he had consulted the convenience of the counsel engaged in the case.

## *ORDERS OF THE DAY.*

## PARLIAMENTARY OATHS ACT (1866) AMENDMENT BILL.—[Bill 89.]

(*Mr. Attorney General, The Marquess of Hartington, Secretary Sir William Harcourt, Mr. Solicitor General.*)

SECOND READING. [ADJOURNED DEBATE.]

[FIFTH NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [23rd April], "That the Bill be now read a second time."

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir R. Assheton Cross.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

Mr. M'COAN: Mr. Speaker, before the hon. Gentleman the Member for North Warwickshire (Mr. Newdegate) re-opens the debate, I crave permission to—[*Cries of* "Order!"]

Mr. SPEAKER: Order, order!

Mr. M'Coan at once resumed his seat.

Mr. NEWDEGATE: Mr. Speaker, I wish to ask the indulgence of the House for a few moments upon a matter which is somewhat personal to myself; but I think the House will at once see that it bears upon the question of this Oaths Bill, and is a matter strictly connected with the Resolution of the House, whereby the House permitted Mr. Bradlaugh to sit for some time, subject to any liability by Statute. I suppose that no Member of this House has for so many years been so much occupied by questions relating to the Parliamentary Oaths as the Member who now addresses you. For 11 years I served as Whipper-in upon this question under the late Lord Derby; and I can assure the House that, when allusions are made to that noble Lord having at last consented to the Bill for enabling Jews to take seats in this House, he always maintained the objection which induced him for 11 years actively to oppose that measure. His objection to the admission of Jews, to use his own terse language, was comprised in these words—

> "If you set the door of the House ajar for the admission of the Jew, the day must come when the Atheist will make his rush."

I think this, coming, under existing circumstances, from a competent witness, is sufficient to vindicate every Member who opposed the Jew Bill and the introduction of Jews into this House, because that measure half-opened the door for the admission of avowed Atheists. I am now about to mention another circumstance connected with myself. When the Resolution of the House, the Resolution of the 1st of July, 1880, was adopted, I feared that there would be no one to give effect to the last words of the Resolution—"subject to any liability by Statute." In order to test the question whether the fact of Mr. Bradlaugh sitting in this House subjected him to any liability by Statute, I took a certain course. I can assure the House that I was very unwilling to appear to take upon myself any function that the House had not directly assigned to me as one of its Members, knowing the jealousy, the just jealousy, with which this House regards any Member who appears to arrogate to himself a commission from the House for any purpose whatever without direct authorization from the House. I pursued the course which I was recommended to pursue by the late Lord Chelmsford, when the late Sir David Salomons had, in order to test the law, taken his seat in this House without taking the Oaths as then prescribed by law. The late Lord Chelmsford warned me that, connected as I was with Lord Derby, I must not take the matter on my own shoulders, but that I must find someone else who was willing to test, in the Courts, the question which had arisen in the case of the then Mr. Alderman Salomons. That was a most peculiar case. The person who ought to have issued the Writ was eight minutes late, and a collusive action had precedence. The present Lord Bramwell was the counsel retained on one side, and the person who brought the collusive action was named Miller, who retained Mr. Channell. A communication was made to Mr. Channell, afterwards Baron Channell; and although I do not know what passed, I received an assurance from Mr. Bramwell that Mr. Channell would throw up his brief unless the whole of the pleadings were subjected to his control. By that means, Miller, who might have been a collusive suitor, became an actual suitor. The case was fairly brought before the Court, and a decision was given upon it, to the effect that, until the law was altered, Sir David Salomons had no right to sit in the House and vote, and could not do so without subjecting himself to a penalty of £500. In that case the penalty was imposed and paid. I know this from Sir David Salomons himself, for I was afterwards acquainted with him, and I told him what was the motive of Lord Derby's opposition to the admission of Jews to seats in this House. Sir David Salomons told me at once—"You need not fear that the Jews will vote for the admission of any Atheist;" and the conduct of the great majority of the Jewish Members of this House has verified Sir David Salomon's assurance. The great majority of the Jews have voted steadily, and one has spoken eloquently, against the admission of Atheists to this House. I come now to the question before the House. I am one of the oldest Members of this House, and I have throughout endeavoured to support and to enforce the law. Nevertheless, it has pleased Lord Coleridge to state from the Bench that my conduct has been legally immoral and bad. That is a serious imputation upon an old Member of this House. I say nothing of the penalty which accompanies the decisions of that noble Lord and that of the Lord Chancellor, and to which I have become subject. Let not the House imagine that Mr. Bradlaugh is any longer a victim in a pecuniary sense; the whole burden has been shifted to the shoulders of the humble Member who is now addressing you. If, therefore, Mr. Bradlaugh poses before the Members of this House in the attitude of an ill-used victim, I trust you will relieve your feelings by the assurance I give you that it is not Mr. Bradlaugh, but the Member for North Warwickshire, who is to bear the whole burden—that is, if Lord Coleridge's decision stands. I do not say that this will be so; but I say that his dicta and judgment stand in a very peculiar position. Let me remind the House of the course which has been pursued in the Courts of Law. On July the 22nd, 1881, finding that Clarke, the plaintiff, shrank from meeting the combination of which Mr. Bradlaugh is the representative and the head, because, in a pecuniary sense, he had to meet a conspiracy and not an individual, I acknowledged in the Court of Queen's Bench that I had given Clarke an assurance that I and others would support him under those circumstances. Did Mr. Justice Grove, who heard that admission from me in evidence, say one word reflecting on my conduct? Did the jury think I was guilty? Not in the least. The jury gave a verdict in favour of Clarke. Again, on the 20th of September, I and my solicitor were summoned by Mr. Bradlaugh before the magistrate at Bow Street on a "criminal charge of maintenance." Mr. Bradlaugh was heard. He admitted that actions which followed the action of Clarke were collusive. He admitted that he had received large sums of money—he would not state the amount—by subscription and otherwise, more than £2,000; and then he accused me of "maintenance." He desired to prosecute me criminally for maintenance, and the magistrate simply dismissed the case. Then, again, on the 23rd of February, 1882, Mr. Clarke, owing to the complicated intricacies of Mr. Bradlaugh's proceedings in the Courts, was obliged to apply to the Court of Appeal, where the whole case was reviewed by Lord Chief Justice Brett, Lord Justice Cotton, and Lord Justice Holker. They held the whole proceedings and decisions of the inferior Courts to be good against the assumed legality of Mr. Bradlaugh's having sat in this House, and adjudged him liable to the penalty. The judgment was entirely in the same sense as the judgment of the Court in the case of Miller against Salomons; and against that decision there has not been a whisper of appeal, and not a word was said by the learned Judges reflecting upon my conduct. I hope the House will believe that on finding myself forced into action, because others would not act, I pursued the course I have described in order to vindicate in the Courts the legality of the decision of the majority of this House. Then came the question of the payment of the penalty—the payment of the penalty of £500, for I sought but one penalty—or, rather, Mr. Clarke and I sought but one penalty—and I was particular that it should be the first penalty incurred, because I feared the interposition of collusive actions, and because I had no wish to follow the first penalty of £500 up by seeking cumulative penalties in the sense of persecution. I merely wanted the means of vindicating the majority of the House—of vindicating its opinion, as justified by law, that Mr. Bradlaugh had no legal right to sit or vote in this House. That matter went to the House of Lords, and the Lord Chancellor, with whom I served during the whole period that he sat in this House, and who was the author of the Bill of 1866—the Oaths Bill under which this case has arisen. Surely, Sir, so eminent a lawyer as Sir Roundell Palmer, when he was Attorney General, ought to have known the meaning of the Act he drew. Why did he, when Lord Chancellor, leave all his Colleagues on the Bench in ignorance? At this moment he has failed to convince Lord Blackburn that his interpretation of his own Act is good. The Lord Chancellor seems to have suddenly discovered that, by the omission of certain words from the Oaths Act of 1866, which had stood in the previous Statutes under which we took the Oaths, the whole process of exacting penalties from elected Members who may thrust themselves upon the House to sit and vote, without being duly qualified by having taken the Oaths, had been changed. How came it that Lord Selborne never intimated this opinion to any of his Colleagues? Why did he leave the Lords Justices of Appeal in ignorance of it? Why was this never publicly announced until the 9th of last month? Why was it kept secret? How could a humble layman like myself be supposed to be cognizant of an interpretation of which none of the Judges I have named were aware? And then Lord Coleridge says my conduct is legally discreditable, because I did not know more than the Judges, because I was not more acute than the Court of Appeal, more learned than Lords Blackburn and Bramwell; and because I did not make this wonderful discovery, which the Lord Chancellor has made at last, and induced the House of Lords to adopt, Lord Coleridge thinks fit to say that my conduct in this matter has been legally immoral and bad. This, Sir, induces me to take a glance at the origin of the Oath which we have all taken. I was opposed, in 1866, to the adoption of the Bill then introduced, in which the present curtailed Oath was first formulated. A very singular circumstance happened in connection with the passing of that Bill through the House. It was announced in the Queen's Speech and instantly introduced. When I arrived in London after the Recess to attend the Session of 1866, I was informed that Mr. Disraeli, afterwards Lord Beaconsfield, then the Leader of the Conservative Party in this House, had agreed with Her Majesty's Government, of whom the present First Lord of the Treasury was one, that the Bill of 1866 should not be contested on the second reading—that its principle should be adopted. I never was more astonished in my life, and I may say that Lord Cairns, then Mr. Cairns, was equally astonished; I believe that Mr. Disraeli was, in some degree, surprised himself. He did not expect that the Government of which the present Prime Minister was Chancellor of the Exchequer would propose to the House, instead of the three Oaths which existed previously, a single Oath of Allegiance to Her Majesty personally, and nothing more. Mr. Disraeli did not expect, I believe, such a proposal as that; but that was the proposal made by the then Government. That was the Oath drawn by the present Lord Chancellor for the acceptance of this House—an Oath of Allegiance to Her Majesty personally, and nothing more. Why, Sir, that proposal agrees with the proposal of Mr. Bradlaugh in his pamphlet entitled *An Impeachment of the House of Brunswick*, which has gone through eight editions, and than which nothing more calumnious in regard to the Royal Family, dead and living, I ever read. Mr. Bradlaugh is the avowed proprietor and editor of *The National Reformer*. That paper avows its principles from week to week as Republican, as Atheistic, and as Malthusian. I say nothing at present as to the Atheism and the Republicanism of that paper. So long as it escapes the Law of Blasphemy it is legal. It has run the Law of Blasphemy very close; but, as yet, it has escaped that pitfall. But when that paper, disseminating the morally-corrupt principles which it does, claims to be Malthusian, I wish to say that I knew Dr. Malthus in early life, for he was the friend of Dr. Otter, my father's tutor and mine, who, at my father's death, when he was Principal of King's College, took me as his pupil. When I was with him I was occasionally in the company of Dr. Malthus, and I have heard the late Bishop of Chichester and Dr. Malthus in friendly converse on various subjects, and I was often the sole witness of what passed; and I can assure the House that there never was a more scurrilous calumny upon the principles and upon the character of Dr. Malthus than is perpetrated by attaching his name to a newspaper conducted on the immoral principles of *The National Reformer*, the paper, which patronized the circulation of that book, *The Fruits of Philosophy*, for the publication of which, as obscene, Mr. Bradlaugh was convicted—an imprisonment for which he only escaped by a technicality—that corrupt publication, which circulates still to the detriment of the morals of the lower classes. I thank the House, Sir, for the patience with which it hears me; and I hope that I have proved that, if my conduct does not deserve to be termed "immoral" and "bad," Lord Coleridge must devise some means of relieving his brother Judges and the Courts from participation in that imputation, since they knew for more than a year what my conduct had been — from my evidence they knew that I was supporting Mr. Clarke, as opposed to the combination of Mr. Bradlaugh. How can those Judges escape Lord Coleridge's imputation directed against myself, when he says that my conduct was immoral? I can appeal from that judgment. But, Sir, are not these proceedings somewhat typical of the conduct of Her Majesty's Government? The Lord Chancellor has astonished the world by the announcement that the claims to test the pretensions of persons elected to sit in this House are no longer to be treated as a matter of public right—that the penalty is not to be recovered by the public, but by the Crown. [*Cries of* "Question!"] It is the Question. And what do I find on the part of the Ministers of the Crown? I feared they would not act—I did not know who would act—and that was the cause of my intervention by costly efforts, though I do not grudge the cost. But supposing the law had been earlier declared, according to the construction of Lord Selborne and the House of Lords, and any person—Mr. Bradlaugh, for instance—had sat in this House without taking the Oath. Where would have been the action of the Crown? But a few days since I asked the First Lord of the Treasury in this House, after the Lord Chancellor had declared that it was competent to no subject to proceed, or according to the tenour of the ancient law to impugn the right of any of the would-be Representatives of the people to sit here, as though privileged to omit accepting the obligations binding on all other Members. When that was declared—when the Lord Chancellor had made no attempt to impugn the fact that the penalty was due—I asked the First Lord of the Treasury whether he would direct the Attorney General to proceed? The House remembers the answer. It was—"No; certainly not in Mr. Bradlaugh's case." In any future case, perhaps; but not in the case against Mr. Bladlaugh, which, through all the processes of the law, had been shown to be valid. Why not in Mr. Bradlaugh's case? Does not this savour of favouritism? I have not heard a whisper from the Treasury Bench in justification of this favouritism; but I have heard from the First Lord of the Treasury, at the commencement of his eloquent speech last week, the declaration—"I will not attempt to justify the Lord Chancellor." Yet the right hon Gentleman is bound to justify himself. Why is it that he has failed to direct the Attorney General to take up the prosecution against Mr. Bradlaugh for a liability, now confessed, and undisputed? This matter leads to another—the Crown, by the decision of the Lord Chancellor, has obtained the control of the law in this matter. Being an old-fashioned Member, I have looked at the two first clauses of the Bill of Rights, and, with the permission of the House, I will read these clauses; for the constituents of North Warwickshire, Radicals and Conservatives, have trusted me 40 years, because they knew that, cost what it might to myself, I never yet have sacrificed or submitted without a struggle to the sacrifice of any of their rights. The 1st clause of the Bill of Rights—the first and second of William and Mary, 1689—is as follows:—

> "That the pretended power of suspending the laws or the execution of the laws by Regal authority without the consent of Parliament is illegal."

And the 2nd clause is to the same effect, but stronger—

> "That the pretended power of dispensing with laws or the execution of laws by Regal authority, as it hath been assumed and exercised of late, is illegal."

That has reference to the then immediate past; while the 1st clause simply declares suspension of the law, and of the execution thereof without the consent of Parliament, to be illegal. And now the Government have grasped the execution of the law in Mr. Bradlaugh's case, and declare, through the Prime Minister, that they will make an exception in his favour—that they will suspend in his case the law, which they own ought to be applied to every person similarly seeking to become a Member of this House. Is there not some connection between the policy of Her Majesty's Government and the teaching of Mr. Bradlaugh? Remember Sir Roundell Palmer's Bill in 1866; that Bill proposed a personal Oath of Allegiance, and nothing further; and when you look at Mr. Bradlaugh's pamphlet, *The Impeachment of the House of Brunswick*, is it not reasonable to conclude that there is some approximation in means, if not in objects, between Her Majesty's Government and Mr. Bradlaugh, the Atheist and Republican, when the Ministers of the Crown propose fundamentally to alter the law, so as, for the first time, to admit avowed Atheists? And here I would ask of the Attorney General whether I understood the hon. and learned Gentleman rightly? He said that before the Reign of Elizabeth there was no Oath of Allegiance recognizing the spiritual authority of the Crown.

THE ATTORNEY GENERAL (Sir HENRY JAMES): For Parliamentary purposes.

MR. NEWDEGATE: For Parliamentary purposes. Perhaps he has heard of Mr. Allen's work on the Prerogative as an authority; and Mr. Allen in his learned work declares that from Saxon times every subject of Her Majesty was, after the age of 12 years, called upon to take the Oath of Allegiance in the Courts Leet and Sheriff's Tourns. Has the Attorney General ever heard of the cases of Caudrey and Lalor, preserved by Sir Edward Coke? He pretends to tell us that there was not in the Crown a spiritual and ecclesiastical jurisdiction. But since the Conquest, the preservation of the independent authority in the Crown was a perpetual subject of difference between the Roman Catholic Kings of England and encroaching Popes. And yet the Attorney General desires to impress upon the House that the national acknowledgment of the spiritual and ecclesiastical supremacy of the Crown originated with Queen Elizabeth. I beg to refer him to the cases of Caudrey and of Lalor, which were preserved by Sir Edward Coke, and to quote the language of Sir John Davies, in prosecuting Lalor, who, without consent of the Crown, had assumed the position of Vicar General in Ireland. Sir John Davies, the Attorney General, said—

> "Now, Master Lalor, what think you of these things? Did you believe that such laws as these had been made against the Pope two hundred, two hundred-and-fifty, three hundred years since?"

He had recited these laws, all proving the spiritual and ecclesiastical jurisdiction of the Crown, from the Conquest—

> "Did you believe that such laws as these had been made against the Pope on his usurpation? Was Henry VIII. the first Prince that opposed the Pope's usurped authority? Were our Protestants the first subjects that ever complained of the Court of Rome? Of what religion, think you, were the propounders and enactors of these laws? Were they good Catholics, or good subjects, or what were they? You will not say they were Protestants before the Reformation, for you will not admit the Reformed religion to be so ancient as those times."

But, Sir, I will not weary the House by attempting to recite the historical details given by Sir John Davies in that memorable case, the record of which Lord Coke preserved, and which is to be found in the library of the Inner Temple, if the Attorney General has not seen it. At all events, I hope this may induce the Prime Minister to qualify his assertion that the country never recognized the ecclesiastical and spiritual authority of the Crown before the Reign of Queen Elizabeth. See, then, what an ancient English feeling we should violate, if we, for the first time, were to adopt the principles of the Commune of Paris, and to admit avowed Atheists to legislate for this Christian country! The Prime Minister said that he was impressed with the strength of feeling manifested by the Petitions which have been presented against this Bill. Was he favourably impressed by that exhibition of the attachment of the people of this country—their ancient attachment—to the preservation of Christianity and Christian morality as the basis of their laws? No. The Prime Minister, looking across the House, said—in other words—"The people are not to be trusted on the subject. It is the duty of the Leaders of this House in Parliament to combine to thwart that bigoted exhibition." He spoke, I suppose, as the organ of Mr. Bradlaugh—that popular devotee. In Paris they know that there is no such tyrant as the Commune, when once enabled to grasp the supreme power. Heine, the great German author, wrote to the *Augsburger Allgemeine Zeitung*, a German paper, in 1841; and he informed his fellow-countrymen that they must beware of the Commune, for that the Commune was Atheist. Atheism lay at the root of the action of the Parisian Commune. How did these Atheistic Communists conduct themselves when Louis Philippe was dethroned? What tyranny and violence there was! How did they conduct themselves towards Louis Napoleon? They forced him to the *coup d'état*, and to slaughter them by thousands, so that he might restore order. M. Thiers denounced Napoleon III. for thus protecting Paris—he could not believe that these Atheists were such unappeasable tyrants. But we have all witnessed this—that when, in the last difficulties of France, M. Thiers himself undertook to organize the Republic, he found the Atheist Commune as deadly enemies to the restoration of social and political order as Napoleon III. had done; and he could not restore peace and order without resorting to violence, and spilling the blood of those unhappy elements of disorder in the streets. Is this the element which hon. Members desire to introduce into the Parliament of England? And when the people of England, in hundreds of thousands, pray that Parliament will not consent, the Prime Minister proposes a combination of Leaders to put down that exhibition—as I suppose he thought it—of senseless bigotry? Think you that the people of England know nothing of what goes on in France? Think you that the fact that M. Thiers, who denounced Napoleon III. for using violence against these Atheists, was then himself obliged to use as much, if not more, violence than his Predecessor in the attempt to restore society and Government is now unremembered? Sir, I think that these Petitioners deserve some gentler treatment at the hands of the Prime Minister. He should, in the height of his philosophy — his philosophical policy — remember the Book out of which these thousands and hundreds of thousands have been taught. They have been taught to receive as the truth—as primary truth—the saying of the inspired poet—"The fool hath said in his heart, There is no God!" They learn from the Book of Job—

> "But where shall wisdom be found? and where is the place of understanding? It cannot be gotten for gold, neither shall silver be weighed for the price thereof. Whence, then, cometh wisdom? and where is the place of understanding? God understandeth the way thereof, and He knoweth the place thereof. And unto man He said, Behold the fear of the Lord, that is wisdom; and to depart from evil is understanding."

That is the teaching of the Old Testament; you expect the Jews to vote for the Atheists, and you are disappointed. What is the teaching of the New Testament? Our Saviour, according to St. Matthew, said—

> "Think not that I am come to destroy the law, or the prophets: I am not come to destroy, but to fulfil. For verily I say unto you, Till Heaven and earth pass, one jot or one tittle shall in no wise pass from the law, till all be fulfilled."

At present our laws are based upon the laws of God, and our laws govern the Rules of this House. We all acknowledge with the Jews the first dispensation, and from day to day we are employed in enforcing the morality of the Second Table according to the light which it has pleased God to give us. But we are not such fools as to pretend that this sublime morality can be derived from any other than the Almighty. You ask us to admit a man who is a propagator of blasphemy, scorning the Almighty and all His teachings. Can we be deaf to these Petitioners, who know from their Bibles, who know from the traditions of their country, that their fathers and fathers' fathers have always looked to the God of the Bible for all good? We ought, surely, to shrink from exalting and placing in exceptional positions those who go about the country to defame religion, as this man has done—Mr. Bradlaugh, the pretending Member for Northampton. I thank the House sincerely for having allowed me to say these few words. But this I know—that I should have been wanting to those who have trusted me for the last 40 years, if I had not said thus much; and, please God, inculpated as I may be by philosophical and political lawyers, I never will fail in this respect. I have been often separated from the Roman Catholics near whom I now sit; but I rejoice that resistance to this irreligious attempt has formed a bond of union between myself and the Roman Catholic Members of this House. I thank the House cordially for having made allowance for the peculiar position in which I stand with respect to this matter.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, he was quite sure that, whatever difference of opinion there might be in the House with regard to the question under discussion, there would be no difference of opinion as regarded the perfect honesty and good faith of the hon. Member who had just sat down. He was equally sure that, whatever decision had recently been given with regard to the hon. Member's legal liability in respect of the proceedings he had taken, there was nobody present who believed that in those proceedings he had been actuated otherwise than by an imperative sense of duty. At the same time, a good deal that they had heard from the hon. Member had very little bearing on the question that the House had to determine. The point that they had to consider was, whether the law, as it at present stood, was satisfactory; whether the proposed change would be a wise and a right one? Now, his hon. and learned Friend the Member for Launceston (Sir Hardinge Giffard) challenged them to show in what possible contingency this Bill could apply, except in the case of Mr. Bradlaugh. He (the Solicitor General) was prepared at once to meet that challenge. He did not deny that the measure had arisen for the consideration of the House out of the circumstances connected with Mr. Bradlaugh's election; but when it was suggested that there were no other cases he denied the proposition. The Bill would meet a class of cases which his hon. and learned Friend opposite would, he believed, be desirous to have met. Because, how did the law stand at present as recently declared? It was settled that the only persons who could come to the Table and affirm and claim exemption from taking the Oath were Quakers, ex-Quakers, Separatists, and Moravians. Now, there were a class in this country who had objections just as strong as the Quaker, the Separatist, or the Moravian to taking the Oath—a class more numerous than either Separatists or Moravians. The law had not thought them unworthy of attention. It had interfered by legislative enactment on three several occasions—in 1854, in 1861, and again in 1865, and had relieved them from disability in Courts of Justice, and enabled them to affirm. But as regarded admission to that House the law still remained the same; and those persons would be excluded, if elected as Members of the House, on account of their objection to taking the Oath. He had reason to believe that in the case of a Member actually elected to this present Parliament, it was a matter of very serious and grave doubt and hesitation to him whether he could properly take the Oath at the Table. He had answered the challenge of the hon. and learned Member for Launceston. The truth was, the present law did not exclude, and would not exclude, the Atheist, whom they desired to prevent entering; and did exclude, and would exclude, a class of persons whose presence they would willingly welcome. It was all very well to say that this Bill was one totally different from that relating to the political emancipation of the Jews and Roman Catholics. But that was not the view taken by a great many of those who urged opposition to the Bill. Hon. Members were favoured with a great many communications, pamphlets, and resolutions of societies, giving them reasons why they should oppose this Bill. One of the reasons given—[Mr. Warton: By what society?]—the particular society mattered nothing to the argument. One of the reasons given was this—

> "If men are suffered to enter Parliament, and take part in legislation, who deny that they are Christians, even though it were only one man, the whole standard of the Legislative Body is altered to the provision of that one man."

It was obvious that the person who penned that would be equally desirous, if he could, to prevent the entrance of the hon. Member for Greenwich (Baron Henry de Worms) into the House as the entrance of the individual against whom the declaration was directed. He would read one other communication which had reached him, urging reasons for opposing the Bill—

> "We began with a lie, a huge political lie, called Roman Catholic Emancipation—properly called a power given to an alien and enemy to make laws for British subjects. Have we, with eyes wide awake, to read God's lesson in history and in the Bible, and come to the year 1883 without learning that Atheism is Popery run to seed for murderous anarchy?"

Was it not obvious that the writer of that would get rid of every Roman Catholic in that House, and that he only regarded that Bill as one further vicious development of the great principle which began with Roman Catholic Emancipation?

Mr. WARTON: Who is it?

The SOLICITOR GENERAL (Sir Farrer Herschell): It matters nothing, but——

Mr. WARTON: It matters everything. ["Order!"]

The SOLICITOR GENERAL (Sir Farrer Herschell) said, it mattered nothing to the argument, but showed that there were still in their midst persons—and, perhaps, they were more numerous than was supposed—in whom the old principles of intolerance still lived; and, perhaps, they needed but a little encouragement to be renewed again to active life. A distinction was drawn again between the toleration of all religious belief and the toleration of no religious belief at all. An hon. Member had illustrated the argument by saying that they would tolerate every difference of dress, but they would not tolerate a man coming to the Table with no dress at all. Would the hon. Member be prepared to abide by his argument? They would tolerate, then, every kind and amount of dress in which a man might come to the Table. He might come clothed only in a hat, and they would admit him, and they would only draw the line where he came in undressed altogether. It seemed to him, to adopt their own illustration, that there were forms of religious undress just as appalling and dangerous as naked unbelief. The noble Lord the Member for Woodstock (Lord Randolph Churchill), who held forth learnedly upon the law, had told them that open and notorious Atheism was, even at Common Law, a disqualification for holding any office. He had himself searched in vain for any authority for that proposition. He could not help thinking that the noble Lord's law must be the creature of his own imagination; and when the noble Lord began to evolve the Common Law of England out of his own inner consciousness, the Common Law of England was in some little danger. The noble Lord had said that a part of the Common Law was incorporated in a Statute of William III., and that this was a Statute against open and notorious Atheists, who, it was adjudged, had no right to hold office. But he (the Solicitor General) had taken the trouble to consult the Statute, and found that the noble Lord had adopted an entirely original mode of interpreting it. He had turned the Preamble into the enactment, but left out the enacting part of the Statute altogether, and he tacked the penalty on to the enactment he had so created. The reason was obvious, because the Preamble was framed in very wide and general terms, and seemed to bear out the noble Lord's proposition. This Statute applied only to persons who had been educated or at any time had made profession of the Christian religion; it was confined to them, and it did not apply at all to a man who had always been an Atheist, and had been brought up as such.

LORD RANDOLPH CHURCHILL: Mr. Bradlaugh was brought up in the Christian religion, for at one time he was a Sunday school teacher.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, that the noble Lord appeared to be much better acquainted with Mr. Bradlaugh's history than he was. The noble Lord's proposition, however, was not limited to Mr. Bradlaugh, but was general. What made the penalty by the Statute? The words were—

> "If any such person shall deny any one of the Persons of the Holy Trinity to be God, or shall assert that there are more Gods than one, or shall deny the Christian religion to be true, or the Holy Scriptures (the Old and New Testaments) to be of Divine authority."

It was obvious that this was not directed against Atheists, and, as a matter of fact, the Statute was directed against Unitarians, but had been practically repealed by the repeal of the provision which prohibited the teaching of any doctrine against the Trinity. But, supposing the noble Lord had established the penalty of disqualification from any civil office upon conviction for such teaching, how would he have proved that that was the Common Law? They did not want a Statute to create a penalty if the penalty already existed at Common Law. He thought, therefore, that he had convinced all who candidly considered the question that the noble Lord had not established the proposition he had laid down. He would now examine with fairness and candour some of the arguments that had been urged against the Bill. The first to which he would refer was that which was practically urged by the right hon. Gentleman the Leader of the Opposition, and his right hon. and learned Friend the Member for the University of Dublin (Mr. Gibson), that the Bill would throw over the national recognition of the Supreme Being. Now, he could not fail to remember that when the Bill was passed which allowed the Jews to enter Parliament they were told by hon. Members opposite—with much more justice than the statements made on this occasion—that they were doing away with the national recognition of Christianity. In the Oath then there were the words—"On the faith of a Christian;" the Oath was then a profession of faith by the man who took it; but that profession of faith was struck out. Yet hon. Members opposite now looked with complacency on the admission of the Jews. Did they believe that the omission of those words from the Oath was an abandonment of the national recognition of Christianity? If they did not, then he defied them to show that in any sense in which that was not the case the passing of this Bill would be an abandonment of the national recognition of God. If they did believe so, did they mean to say that they looked with complacency on the abandonment of the national recognition of Christianity, and yet cared to preserve the national recognition of some Deity—any Deity that the mind of man had conceived, or his fancy might hereafter fashion? But how would that national recognition of a Supreme Being be destroyed by the Bill? He ventured to say that if it was passed the Oath would still be taken by the immense majority of those who entered the House. Some few might affirm. If the law was not changed, they would make those men, if unbelievers, take the Oath, or go through the form of taking it; and did they mean to say that this would help to a national recognition of God? It would be a sham and not a reality; they would be losing sight of the substance, and would be resting on a hollow pretence. Another argument urged against the Bill was that the existence of the Oath recognizing a Supreme Being was the only safeguard that those who were admitted to the House would be guided by sound principles, and would act in accordance with the requirements of morality and religion. But was the repetition of this Oath any real guarantee of this? A man might take it—nay, might have taken it—who believed in no Deity whatever; and did the opponents of the Bill mean to say that that amount of recognition of the Supreme Being which was involved in the repetition of the Oath was any guarantee for the morality or religion of the man who made it? In how many thousands of cases year by year was the Oath taken by men of whose morality it was ill to speak, and who professed no religion at all? Why, had not recent events, not far from where they were sitting, shown them that men might even take the words of an Oath, might even appeal to the Deity, to bind them together in the hatching of murderous plots, and to make them true to their fellow-conspirators; that, with murder in their hearts, to bind them to those deeds of murder Oaths were taken in the name of the Almighty? In the face of this, did hon. Members tell him that the mere taking of an Oath was a guarantee of morality and religion? The argument would not bear a moment's close examination. Then it was said that the Bill would strike a serious blow at the religion of the country. He regretted most deeply to hear that argument used. Was the religion of the country so poor and puny a thing—was their faith, which had stood the shock of centuries, so weak, that it was to be imperilled by the omission of an Oath, or the admission of a dozen unbelievers to the House? The noble Lord had said that there were toiling millions in the country who cherished the hope of a better life and a happier lot than that which they had now to suffer and endure, and that this Bill would deprive them of that hope. Now, he, for one, would be the last to desire to do anything which would have that effect; but did hon. Members think that the roots of religion among those classes were struck no deeper than to be affected by a vote or a Resolution of that House? As to the army which it was said had sprung up in defence of Christianity in consequence of this Bill, he believed that army existed before the Bill was introduced, that its numbers had not been increased by one real recruit, though it might, under the circumstances, have found strange or unexpected champions. It was also said that they could not rely upon an Affirmation; that there was not the same security in it that there was in an Oath. However that might be, he could not help thinking that an Affirmation would be as binding on a man whom an Oath would not bind in any special way as if he went through the form of taking the Oath; and it seemed to him that if there was any danger in an Affirmation, the argument of hon. Members opposite would apply more to Courts of Justice, where it was allowed for the purposes of truth, than to that House. What would they secure by the rejection of the Bill? The hon. and learned Member for Launceston (Sir Hardinge Giffard) had pointed out that the law, as it now stood, would not exclude avowed Atheists—men who had avowed their Atheism outside the House. By rejecting the Bill the exclusion of Atheists from the House was not secured, but exclusion of an Atheist who should in the House make any statement from which his opinions should be inferred, and that could now only be done at bye-elections. And what was the price proposed to be paid for this? He was sure the House would remember, when this question was before it at an earlier stage, the eloquent words of the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson)—

> "We are asked to allow a man to take an Oath in the presence of God without a sense of the presence of God. One of the most sacred forms of the House was about to be outraged and treated in a way which many would regard as a kind of blasphemy."

The price to be paid was that they would render that profanation and blasphemy inevitable. Was not that a somewhat heavy price to pay for the very small gain? Surely, then, their support should be given to a Bill like the present, which would practically prevent such an occurrence in the future. They had been told that there were a vast number of Petitions against the Bill; but, for his own part, he did not think that the number of the Petitioners was always an exact index of the value of a Petition. But he was rather surprised at the sudden enthusiasm of hon. Members opposite on the subject of Petitions, and the hon. and learned Member for Plymouth (Mr. E. Clarke) had been especially eloquent on the subject; but he voted against the Resolution of the hon. Member for Carlisle (Sir Wilfrid Lawson) the other night, though he (the Solicitor General) ventured to say the proportion of Petitioners in favour of it was prodigiously greater than that against it. Was it not a fact that in the present Parliament the Party opposite had voted on every important question against the great majority of the Petitioners? And would they not continue that practice as each successive popular question arose, whether it had reference to the liquor traffic, the extension of the franchise, or anything else? He believed a great deal of the feeling that existed in this matter arose from a misunderstanding, and he did not wonder at the vast number of Petitions from people who thought that Atheists were coming into the House for the first time. But if they knew that the only difference between passing the Bill and rejecting it would not be the exclusion of an avowed Atheist, but the compelling him to profane the Oath, he ventured to say the views as to the passing of the Bill would be very different to what they were. If, at the end of this Parliament, Mr. Bradlaugh were to come to the Table and take the Oath, as it was very generally admitted he could do, and the country saw him sitting in the House, he was by no means sure there would not be a revulsion of feeling which might have to be reckoned with. The Government had been solemnly appealed to by hon. Members opposite to regard their own interests; and the tender regard they had entertained for the electoral interests of the Government had been in the highest degree touching. There had been appeals which he could not help thinking had some little lack of that Christian charity which one would have had a right to expect from men in such a case. He was fully prepared to meet any such appeals, and to vote at the dictates of his conscience; and he had never given any vote in that House in a more complete sense conscientiously than he would give his vote on this question, because he believed it was his bounden duty in the interests of the country. He believed they were not only supporting that which was just and wise and expedient, but were acting in harmony, and not in conflict, with the best interests of religion.

MR. CHAPLIN wished to say a few words as to the result of the rejection or passing of this Bill. If they passed this Bill, Mr. Bradlaugh would at once be admitted to take his seat; but if they rejected it he would remain where he was at present. It was on that account, and as he had, up to the present, taken no part in the debate, that he now wished to make a few remarks. When they were asked some time ago to decide by their votes as to whether Mr. Bradlaugh should or should not be permitted to take the Oath, it was no part of their duty to inquire how far the antecedents or qualifications of that hon. Member rendered it desirable that he should take his place in that Assembly; for they had specific knowledge upon one point in particular, which had been forced upon their notice, and which was sufficient in itself, in his opinion, to determine their course on that occasion. They had had it placed officially before them in the Papers laid upon the Table, and presented to the notice of every Member of the House, that the taking of the Oath to Mr. Bradlaugh was a meaningless and idle form. When, therefore, Mr. Bradlaugh came up to the Table and asked to be allowed to take the Oath, if he (Mr. Chaplin) had sat silent in his place, and allowed him to go through that form without opposition or remonstrance, he should have felt he was a consenting party to an act which he could only regard as profane, and as an act of mockery and insult to the name of the Most High. Accordingly, he gave his vote against him. To-day, they were placed in a somewhat different position, and that position was as follows:—They found a Member of the House, no matter to what circumstances it was owing, debarred from taking his seat in the House. The Government thereupon had come forward with a Bill, the effect of which would be to admit both him and any others who might happen to be placed in a position similar to his own, and to get rid of the difficulties which stood at present in his path. It was a Bill, in fact, which, while it might, no doubt, embrace others in its scope, was introduced in the special interests and for the special necessities of an individual Member of the House, and to make special facilities to enable him to take the seat which he could not take at present. This was a Bill, by hook or by crook, to get Mr.

Bradlaugh into the House of Commons. To legislate in any individual case in that way was an unusual, not to say an extreme course, for any Government to take. Before they gave their consent to that unusual and extreme demand, they were bound, not only to inquire of the Government what was their justification for that course, and what were the reasons which should induce them to agree to it, but they were also entitled, and it was their duty, to examine closely into the claims and qualifications of the particular individual in whose interests, and on whose behalf, that special action of the Legislature was called into play. As far as the Government were concerned, everything that could be said in its support had been urged by the Prime Minister, as, probably, no one but himself could have said it; and it was within the four corners of that speech on Thursday last that the justification of the Government, if any, must be found. He listened to that speech with rapt attention from the beginning to the end; and he was quite unable to express the admiration which he felt for the skill and the ability, the sophistry and the ingenuity combined, which the right hon. Gentleman brought to the defence of a really untenable position. But, able and audacious and ingenious as it was, it would not bear examination; and the more it was looked into the more it would be found absolutely devoid of solid argument in favour of the Bill. He thought, also, very much the same of the able speech just delivered by the Solicitor General. When a Government or an individual came forward to propose a change of this unusual and most important nature, they were bound to produce the clearest evidence of its necessity, and of the advantages and public good which might be expected to result from it. But, in this case, the right hon. Gentleman had done nothing of the kind; he had not even attempted to show the smallest necessity which had arisen for the Bill, or the smallest good which it would do to any human being under the sun, excepting this—that its passing would relieve him and his Colleagues from the difficulties they were placed in with regard to Mr. Bradlaugh. And not one single reason did he give directly in favour of the Bill in the whole of the speech which he delivered from beginning to end. The reason of this was obvious. There was nothing which he could say. So bad was his case that he had only one resource—the last refuge of the hopeless—to abuse the plaintiff's attorney; and, consequently, the whole of that oration was devoted, not to explaining the advantages, or enlarging upon the necessities of this Bill, but to censures and criticism upon the attitude of Gentlemen on that side, and of the contention which the right hon. Gentleman put into their mouths, but which, with all submission to him, he emphatically repudiated and utterly renounced. He wished to examine that contention for a moment, and the value of the criticisms made upon it. The effect of that contention, according to the right hon. Gentleman, and the result of their attitude, was this—it violated the principles of civil freedom to begin with, and was disparaging, in the highest degree, to Christianity itself. They drew a line, it was true, but only at the point where the abstract denial of a God was severed from the abstract admission of a Deity; and they did nothing even to touch the specific mischief of the age, by which he understood the right hon. Gentleman to mean what was commonly known as Agnosticism. That was a summary—a fair, he hoped, and an impartial summary—of the grounds of the Prime Minister's objections to the attitude of Gentlemen on that side; and he was willing to admit at once that he was right so far as the latest of these propositions was concerned. It was true that they did nothing to touch the specific mischief which he had referred to. But then he should remember that they were not proposing to legislate at all. They left matters in respect to that specific mischief precisely as they were before, and, at least, did nothing to foster and encourage it. Could the Prime Minister say as much to-night? He doubted it very greatly. But of this, at least, he was quite certain—that should he, by some great misfortune, be successful with this Bill, even he would be unable to deny that he had given hope and great encouragement to those whose views he told them he regarded as the great and the specific mischief of the age. So far, then, the statement of the right hon. Gentleman was correct; but, with that exception, the justice or the force of his other propositions he absolutely denied. Supposing, however, for a moment, the right hon. Gentleman was right in all that he had said respecting the course adopted by the Opposition; supposing it was true that their attitude to-night really did give rise to all the painful evils which he indicated; supposing that this meesure was really introduced at last, and was required because they were disparaging Christianity and violating civil freedom. When did that necessity arise, and what were they to think of the Minister, with this deep conviction in his mind, who had never stirred a finger or a hand to carry measures in their interest and in their behalf during all the years in which this controversy had been going on? Why, he declared the other night, in most emphatic tones—these were his very words—

> "That in his heart and soul, in his belief, the interests of Christianity and religion were concerned in the passing of this measure."

But, if that were so, if that was really his sincere belief, if Christianity had been so terribly disparaged as he said it had, why had he delayed this measure until now? What had he been doing all this time? This controversy and this contention of the Tory Party, baneful as he thought it was, was three years old at least. And how came it that this Minister, who regarded this measure to admit an Atheist to the Council of the Nation as vital—Heaven save the mark!—as vital to the interests of true religion, and who posed as the champion of Christianity in the contest they were now engaged in, had been absolutely silent on the subject to this hour—how came it that he never thought of even pressing it on their attention until after menaces and threats, and until the preparations of the Atheist and his friends for a monster demonstration early in this Session were known to be complete? That was his answer to the sophistries and finespun theories of the Minister. That was the question which he put to the Government to-night; and, until it had been answered and replied to, the whole of that magnificent oration—for magnificent it undoubtedly was—would remain to them and to the English people, like the Oath itself to Mr. Bradlaugh, "meaningless and idle words." He would now pass, for the present, from the speech of the right hon. Gentleman, for if he found little in its favour, there was plenty still which might be said against the passing of this measure. After all, as was said by the noble Lord the Member for Woodstock (Lord Randolph Churchill), in his able and admirable speech the other night, this ought to be a matter of "common sense;" and the common-sense view was the view, they might be certain, which would be taken by the people on the subject. Who was Mr. Bradlaugh? What were his claims and his special qualifications that he should have this exceptional legislation? He wished to say a word on this point. The Oath, they must remember, that was taken at that Table bound the man who took it to—

> "Be faithful and bear true allegiance to Her Majesty Queen Victoria, to Her heirs and successors according to law;"

and to this declaration he solemnly and deliberately called God to witness. And after he had taken it, it was not open to any Member sitting there to call the Throne, or the Succession to the Throne, in question. [Mr. NEWDEGATE: He would be stopped by the Speaker.] Probably that would be the case. But the Oath itself prevented it, for a Member having sworn the Oath would be perjured if he did so; and so the Oath became, in that sense, one of the safeguards of the Constitution. Now, if that were so, the House would see at once how dangerous was the ground which they approached in voting for this Bill, for Mr. Bradlaugh's views upon this question were notorious. One of the main objects of his life had been, and was, the abolition of the reigning Family from the Throne. The other was to make war upon religion, upon what he had declared to be "our accursed creed," and to blacken and defy the very name of God. This much he had learnt from his published writings, which, until the introduction of this Bill, it was never his misfortune to have seen before. These, then, were the objects which the Government asked them to foster and advance and help by consenting to their Bill to-night, objects which were hateful and abhorrent to himself, and of which he was persuaded, and he knew that they shocked, horrified, and outraged every sentiment and every feeling nearest and dearest to the hearts of the people, in every family, in every home, by every fireside, from the palace of the noble and the rich to the dwellings of the poor and the lowliest cottage in the land — aye, and to millions upon millions of their race besides — wherever the English tongue was spoken on the face of the civilized globe. In the face of Mr. Bradlaugh's open and avowed determination, if he could, to overthrow the Succession to the Throne, he should like to hear how the First Minister of the Queen could reconcile with loyal service to his Sovereign the course which he pursued in placing this Bill before the House. And why was all that to be done? They told them for the sake of justice, Christianity, and freedom; and so they prostituted those sacred names. But justice had two sides. When Mr. Bradlaugh was elected for Northampton, both he and the electors well knew the position of affairs. They knew, and he knew, that he could not take his seat. Their eyes were open, and the consequence, therefore, of their action rested with them. Justice he would give to Mr. Bradlaugh, and justice he believed that he had had. But he said, upon the other hand, that the blackest injustice which they could do would be this—that without appealing to the nation on a question upon which they had never been consulted, they should force a measure on them which they should remember, once accomplished, could probably never be undone, and which, with all his soul, he was convinced was utterly destestable to the country. So, also, he would say with regard to civil freedom, it was not liberty and freedom that was pleaded for, but licence. Licence to Northampton and to its elected to outrage the sense of the whole community at large. And why should they allow that? Why on earth were they expected to go directly out of their way to bring about the very thing they disapproved, which at present, whether by an accident or by whatever means, was happily prevented. Moreover, he wished to ask, if they entered on this path, where it was all to end? They professed, at least, to be a religious Assembly. In that House, each man who took the Oath began his Parliamentary career by the performance of a ceremony which was both a civil and religious ceremony. So, also, every day they commenced their labours there with prayer to the Supreme Being; but to kneel in prayer upon those Benches, to ask of the Almighty day by day his guidance and his blessing on their labours in the one breath, and with the next to shout "Aye" for the admission of the Atheist, whose lifelong occupation was to insult and to deride Him, was to him such a mockery of the Being whom they worshipped that he did not see how it was possible, if they passed this Bill, that any religious service could continue with any consistency at all. Why, the very stone at their door, like the stones in ancient Rome at the time of Cæsar's death, would be moved to rise and mutiny, and would cry aloud to the House to be consistent and remove them from the portals of a Chamber which was false to its highest and holiest traditions. Let them go into that Lobby now beyond the door, and look around and examine what it was on every side that met the eye. There, whichever way they turned, they would find graven deep into the stone upon the walls, and on the floors, tributes, on the one hand, to the God whom they professed to fear, and injunctions, on the other, to be loyal to the Crown. The very motto on the doorstep, that Door through which the Atheist would seek admission, reminded each Member day by day, as he came to take his place within these walls, of the Oath which he had taken in these words—"Fear God, and do honour to the King." But if the House gave their sanction to this measure, and if they deliberately invited to take his seat among them this Atheist, who owned no duty to the one, and who sought to overthrow the other, how could they afterwards with consistency retain those symbols of loyalty and faith of which they made profession upon all sides, even now, with their lips? That might be, perhaps, a matter which was trivial to the minds of some; but he thought that it afforded a useful illustration of the new position they were asked to take up by the First Minister of the Crown. The fact was that the logical results of what they were asked to do that night in admitting this avowed and open Atheist to that place must be to cut deep down to the roots of everything they held so sacred and so dear, to strike, and to strike hard, at the very basis upon which all law, all Government, all order through the world, all sense of right and wrong, and all society throughout the universe, as constituted at the present, both did and must depend. Again, he asked, why were they to tamper with those problems, great and solemn as they were? Why, and at whose bidding was it, they were called on to approach the gulf which was yawning at their feet? It reminded him of some words of one of the greatest of our English bards, which must be familiar to the House—

> "Let ruling Angels from their spheres be hurled,
> Being on Being wrecked, and world on world;
> Heaven's whole foundations to the centre nod,
> And Nature tremble to the Throne of God.
> All this dread Order break—for whom? for thee?
> Vile worm!—Oh Madness! Pride! Impiety!"

He thanked the House most sincerely for the kindness and attention it had accorded him. For his part, he confessed that he was sanguine of their cause. For behind the Ministers majority and the present House of Commons, there was the conscience and the voice of England; and to that august tribunal any Member of that House would have to answer for the vote he gave that day. But, be that issue what it might, he rejoiced and he thanked God that he had had the privilege, by voice as well as vote, to give his utmost opposition to this impious, disloyal, and most sacrilegious measure.

Mr. H. H. FOWLER: Sir, I wish to state to the House the reasons why, on distinctly religious grounds, I intend to support a measure to enable every legally qualified and properly elected Member to testify his allegiance to the Crown by Affirmation instead of by Oath. I do not underrate or undervalue the strength of the religious feeling that has been aroused against this measure. I am aware that political considerations are powerless when opposed to religious convictions; and on that ground I ask permission dispassionately and conscientiously to argue the question whether the rejection of this Bill will be a greater gain to the cause of religion or to the cause of irreligion. Now, Sir, if I may presume to winnow the grain from the chaff of this debate, I gather that the opposition to this Bill rests, in the main, on two propositions. The first is that disbelief in the existence of a Supreme Being is an absolute disqualification for the office of a legislator; and the second proposition is that the condition which requires every legislator, before taking his seat, to repeat an invocation of the Supreme Being in whom he believes, is a bulwark sufficiently strong to exclude all unbelievers, and a test sufficiently stringent to preserve the religious character of this and the other House of Parliament. Now, Sir, I dissent from both of these propositions on account of their inherently irreligious character, as well as on the ground of their utter and hopeless impracticability. The first allegation—namely, that disbelief is a disqualification for the office of a legislator—rests, I take it, on the principle which was so finely put by Burke—that politics are but "enlarged morality;" that all true morality springs from, derives its existence, vitality, and force from religion; that legislation is but the embodiment and enforcement of what one may call corporate morality; and, therefore, religion, morals, and politics are so inseparably connected that you cannot divorce one from the other without results which are both dangerous and disastrous. I recognize the grandeur of this ideal. It is not necessary for the purpose of my argument to-night to stop to inquire whether it ever has been, or, in the present condition of human affairs, it ever can be realized; but what I do disclaim and denounce is the miserable conclusion that is drawn from these noble premises. What is it we are asked by the opponents of this Bill to accept as the practical result of those great principles which, we are told, are the foundation of the English Constitution? Is it that the men who practise politics and enact laws should be religious men? No. Is it that they should declare their belief in the revelation on which the faith of Christendom rests? No. Is it that they should admit such a responsibility to an Almighty Power as would acknowledge their future accountability for their legislative action? No. Is it that they should evidence by their daily lives an acceptance of the rules of even heathen morality? No; but it is that they should have such an infinitesimal shade of belief in the supernatural as to admit the existence of some Supreme Being; and this intangible belief, restricted to no creed, either Jewish, or Christian, or Pagan, is elastic enough to embrace within its limits the mythologies of the venerable superstitions of the East, and the Pantheism of the modern scepticism of the West. I can only say it is incomprehensible, it is intolerable that such a proposition should be justified and defended by men who profess to believe that Christianity is part of the Common Law of England, as the noble Lord the Member for Woodstock (Lord Randolph Churchill) declares it to be, overruling, with his characteristic ability, the judgment of the Lord Chief Justice of England. This test is too late in the day. The old theory of the identity of the Church and State was perfectly intelligible and perfectly logical. The qualification for membership of the one Corporation was the qualification for citizenship in the other; but when not only Christians who renounced the dogmas and teaching of the National Church, but those whose creed was a repudiation and denial of Christianity were admitted to all the rights and privileges of citizenship, that theory was swept away, and with it all justification of the claim to impose a condition of religious belief upon the exercise of civil rights and the enjoyment of civil privileges. Dr. Arnold, staunch Liberal as he was, foresaw this difficulty, and he resisted, and resisted to the end, all measures for the emancipation of the Jews. Dr. Arnold laid down that the dividing line in civil matters was Christianity or non-Christianity; and if his theory had been maintained you might have assumed—it would still have been in theory, for it never could have been in practice—that your Legislature was essentially Christian. But having obliterated that dividing line, having ranged side by side in the exercise of every civil right and the enjoyment of every civil privilege, those who accept and those who reject Christianity, what value can you expect us to attach to the flimsy barrier which admits all forms of infidelity but one, and which, while only excluding that lamentable and deplorable section of theoretic unbelief, yet admits men who, by their life-long disregard and defiance of all religion and morality, are, notwithstanding all the Oaths they may profanely take, in the saddest sense of the word, Atheists, men without God in the world? No formula which this Legislature or any other Legislature can devise can secure for you that which you think you can secure by this Oath. No pledges, no profession, will obtain that which, if it exists, will assert its reality, independently of all pledges and professions, and which, if it does not exist, no pledges and no professions will secure. History has proved the futility, I may say the immorality, of these tests. Let us take the 18th century. That was a period when tests reigned supreme, and when this House ought to have been a legislative paradise from which all forms of heresy and all shades of unbelief were shut out. The Roman Catholics were met by the abjuration of one of the central Articles of their Church. The Dissenters, some of whom, at least, were willing to have professed their belief in your Creeds and Articles, and who dissented only from your Liturgy, were barred out by that wicked profanation which degraded, and I might say blasphemed, the most sacred rite of the Christian religion into a passport to political office and into a seal of political corruption. The Jews were proscribed with fanatical zeal. The whole hierarchy of official life was surrounded by tests, declarations, and precautions, which the most ingenious bigotry could devise; and what was the state of Parliament during those halcyon days of legislative orthodoxy? I know the noble Lord the Member for Woodstock will object to my quoting Bolingbroke; but, notwithstanding his objection, I cannot help recording, as an historical fact, that during that period he was one of the most brilliant Leaders of this House, and that Gibbon was one of its most distinguished Members. The noble Lord was inaccurate when he said that Gibbon's great work was not published until after he had ceased to be a Member of this House. It is perfectly true that the first period of his Parliamentary life was over when he sat as Member for Liskeard; but it was after he had published his second volume—that most gorgeous and wicked attack upon all religion which even the 18th century produced—that as Member for Lymington he came to the Table of this House, and took not only that Oath, but all the other string of Oaths required to secure the religious character and orthodoxy of this House. There are many other proofs, without recalling the names of the most prominent unbelievers of their day, that during the period which intervened between the Reigns of Queen Anne and George III., the personal profligacy and political corruption of Members of both Houses reached their climax; and of this orthodox Legislature it might be said, as Bishop Butler said of the whole upper class of that day—

> "It has come to be taken for granted that Christianity is not so much a subject for inquiry; it is now at length discovered to be fictitious."

That stage of our history has happily passed away, and of all the gainers by the change, I think the character of this House and of its Members has been the greatest. But now we are asked to classify the Christian religion and all other religions as of some value to the State—not more, not less. I recall that memorable sentence of Gibbon, in which he described the religious state of the Roman Empire at its zenith. He says—

> "All religions were regarded by the people as equally true, by the philosophers as equally false, and by the magistrates as equally useful."

I object to Christianity being placed on that level. I object to Christianity being degraded into such a position; and, on behalf of a very large portion of the Christian section of the people of this country, I enter my protest against the doctrine which has been put forward in reference to this question. A Christian test is opposed to the spirit of Christianity. An omnibus test which huddles together, under the generic name of religion, all the eccentricities of human belief, I consider to be as worthless in morals as I know it to be worthless in politics. It mocks, in the name of religious belief, at the reality of religion. I go further, and say that if you could extract from every Member of this House a solemn declaration of his belief in the One First Great Cause, unaccompanied by anything beyond or by anything else, you would but emphasize with accumulated force the terrific scorn with which the great Jewish Apostle retorted upon those who prided themselves in their Deistic belief—"The devils also believe and tremble." The other proposition to which I referred was the condition—

> "That the repetition of the form of invocation of a Deity in the promise of allegiance was a sufficient test of the belief, to which such value is attached."

Now, our forefathers, when they set about creating a test, did it with a grim determination, which admitted of no evasion and no trifling. They said what they meant, and they made a man say something about which there could be no mistake. The Catholic was made to abjure transubstantiation, and the Jew was required to swear upon the true faith of a Christian. What is this test you value so much? Is it any declaration of belief? Is it such a declaration of belief of a Creator as is contained in the Apostles' Creed? Is it such a declaration that an unbeliever with a sense of honour or conscience could not honourably take? You add to the promise of allegiance to the Throne four words of deep meaning and solemn import to the believer, but of no meaning and no import to the unbeliever. He may use them if he chooses; but you have no right to inquire the sense or mode in which he employs these words. To twist the outward phraseology of the Oath into a declaration of Theistic belief seems to me to minimize and evaporate this vague creed into what is entirely impalpable and incomprehensible. A very distinguished clergyman of the Church of England said this Bill was a Bill for the prevention of profanity. I am old-fashioned enough to believe in the Third Commandment still, and because of that I support this Bill. If it be profanation—and that was the theory on which the Resolutions of the right hon. Gentleman the Leader of the Opposition were founded—if it be profanation to allow an unbeliever who attaches no meaning to the words to take the Oath, it is also profanation to compel and provoke unbelievers who attach no meaning to the words to take that Oath. I wish to refer now to the denomination to which I have the honour to belong. Some Members who have taken part in this debate, and notably the noble Lord the Member for Woodstock (Lord Randolph Churchill), and the hon. Member for Portsmouth (Sir H. Drummond Wolff), have communicated to the House the views and feelings of the Wesleyan denomination. I wonder if it did not occur to the noble Lord, with his marvellous political intuition, that as there are, at least, 10 Members of this House who belong to the Wesleyan Body—

Lord RANDOLPH CHURCHILL: They are all Liberals.

Mr. H. H. FOWLER: And who, echoing the views and feelings of the great majority of the Wesleyan Body, belong to the Liberal Party. Did it not occur to him that a Body which is remarkable for the exclusiveness of its internal arrangements, and for the rigid and almost automatic action of its machinery, would not, if it wished to make any communication to this House, have selected two of the Members of the Fourth Party, but would have made the communication through one of its Representatives?

SIR H. DRUMMOND WOLFF: The information I had was that the hon. Member was asked to present the Petition and "burked" it.

MR. H. H. FOWLER: Both these statements are as inaccurate as the others of the hon. Member. On this question I was not asked to present the Petition, and I did not "burke" it. I am not going to trouble the House with all the internal differences of the Wesleyan Body on this matter. I would simply say this—that the only Body that had the slightest scintilla of a claim officially to represent the Wesleyan Body has declined to take any action in this question. A very clever and astute Wesleyan Conservative has made use of, and I would almost say hoaxed, the noble Lord upon this question—a gentleman representing what everybody knows is a limited, an influential, but diminishing section of the Wesleyan Body, the section which opposed Catholic Emancipation, which opposed Jewish Emancipation, which opposed the abolition of Church Rates, which opposed the Disestablishment of the Irish Church, and who, I may say, at present sum up their political creed into abjuring and abhorring the Prime Minister and all his works. You talk about Petitions signed by 1,000 people as representing the Wesleyan Body. When the Wesleyan Body want to come to Parliament, as they did the other day on the question of Sunday Closing, they sent a Petition which no one could carry up the floor of the House, but which had to be rolled in behind the Speaker's Chair, and which is signed by between 500,000 and 600,000 of that Body. I have as much right to speak with confidence and authority as to the views of the Wesleyan Methodists as any Member of this House, except my hon. and learned Friend the Member for Edinburgh (Mr. Waddy); and I give a most unqualified and absolute contradiction to the opinion that the majority of the Wesleyan Body are opposed to the present measure. I am sorry to have troubled the House so long, and I will add but one other remark upon the general question—the character of the House will reflect the character of the constituencies by whom it is elected. They are the supreme, the final tribunal, who alone have the right to settle all questions of fitness and competence, of orthodoxy or heterodoxy. When you have an irreligious people you will have an irreligious House. But I, as a Christian man, have perfect faith in the constituencies of Great Britain. I do not forget that household suffrage has enthroned the Bible in nearly every one of the elementary schools of Great Britain. I have no fear of the constituencies. What I do dread are those powers of proscription, and persecution, and exclusion, which are, when used against Christianity, her strongest support; and, when used on her behalf, her greatest weakness. I thought that Englishmen, English Churchmen, and English Dissenters had learnt this lesson to its last line. But, Sir, this agitation now developed, and the machinery by which it is being developed, has been another illustration that history, even the history of misguided conscientious zeal, repeats itself. I respect the motives of hon. Gentlemen opposite. No man can feel greater attachment to the principles on which they profess to be acting than I feel. But to them my reply is, the two cardinal articles of civil and religious liberty, the one that the rights, the powers, and the privileges of citizenship are independent of all questions of religious belief, and the other — the far harder to learn, and the far more difficult to practise — that the human mind, in its relations with the Unseen and the Divine, is absolutely, sacredly, totally exempt from the domain of civil interference.

MR. O'BRIEN: Mr. Speaker—I was anxious, before the debate closed, to state very briefly the reasons why I will be obliged to vote against this Bill; and I am the more anxious to do so, because a number of hon. Members have challenged the attitude of the Irish Party, and have been good enough to threaten us with some terrible pains and penalties—possibly that direst of all penalties in the eyes of an Irish Nationalist—exclusion from an alien House of Commons. I may say at once my reason for voting as I intend to do is certainly not that I can think that Christianity has anything to fear from Mr. Bradlaugh or his friends in or out of this House. I should be very sorry indeed to preach a crusade of the Christian world against so very puny a Saladin. There was one part of the speech of the Prime Minister in which I think a good many people will agree—who can only admire, as I most humbly and sincerely admired—the wonderful ingenuity and power of the remainder. That was where he said that the conflict in our time is not between Christianity and Atheism of the type represented by Mr. Bradlaugh. I believe the number of people who agree in all things with Mr. Bradlaugh is not much greater or more choice than the number of people who would like to go about the streets naked, and I do not apprehend that in this climate the one creed is ever more likely to be popular than the other. But what is the inference from Mr. Bradlaugh's insignificance and isolation? In mere abstract principle I am not very much at variance with the hon. Gentleman who has just sat down. If this was a Bill to relieve the consciences of any serious and reflective school of persons with doubts about religion, I, for one, would think twice before imposing any disability on men whom I believed to be acting under the influence of a responsible and often a tortured conscience. The mental diseases of to-day are no new things in the history of religion. As the quotation the other night from Lucretius reminded us, they are diseases that, under one form or another, have at all times afflicted philosophers, but have never taken possession of a nation, and I believe never will. But, at least, such men approach that tremendous question of the origin and end of human existence in a spirit of reverential seriousness from which in most cases they sooner or later rise into worship of the one Divine Interpreter who can untangle all our doubts and speculations. But is it to relieve men like these, or is it at their demand that this Bill is being forced on a reluctant and scandalized country? Is it to be believed that such men would use the ignoble shelter of Mr. Bradlaugh's name? Where have they made any demand of their own, or when? Who has made any demand for this Bill except Mr. Bradlaugh? And is the Prime Minister in the same breath in which he tells us of Mr. Bradlaugh's insignificance, and mentions his name with something like a shudder, is he a Christian statesman — perhaps the greatest of Christian statesmen—when he does not put his conscience in the keeping of his advisers in Ireland—is he to ask the Parliament of a Christian nation to remove the emblem of an Almighty Power, because this one man, and this one man alone, in all this land chooses to declare war on it, and bellows at your doors, and translates *écrasez l'infâme* for you into uncleanly and unpalatable English. We have been taunted with disloyalty from the Radical Benches—disloyalty never, thank God, to our God or to our country. I hope Radical Gentlemen can lay their hands on their hearts and say that as much can be said for their own Party. But I admit at once there are Irishmen to whom any pledge of allegiance to Queen Victoria is as repulsive a form of superstition as allegiance to the God who made him is to the sensitive soul of Mr. Bradlaugh. Will the right hon. Gentleman erase the name of Queen Victoria from the Oath for their accommodation as readily as he erases the name of God for the gratification of the subscribers to *The Freethinker?* Or will you retain all your mediæval reverence for an earthly Sovereign whom you might change to-morrow, while you sacrifice to Mr. Bradlaugh the pledge and the symbol of your allegiance to the Supreme Master of your being? My one great difficulty in opposing this Bill was the feeling of respect for the choice of a constituency; but when, eight years ago, an Irish constituency—the great constituency of Tipperary—pitched its choice upon a man whom to compare with Mr. Bradlaugh is to compare Hyperion with—well, with a person not quite so well favoured; when Tipperary elected John Mitchel, and re-elected him, did the Prime Minister ask the House to amend the law out of respect for the choice of Tipperary? When Michael Davitt was elected for Meath, did we hear anything from the Radical Benches about the sacred doctrine of sovereignty in the constituencies of which we have just heard such an eulogium from the hon. Gentleman who last addressed the House? No; but we heard—aye, we heard over in Ireland and will remember—the yell that went up from those same Radical Benches when Michael Davitt was sent back into penal servitude, instead of being lionized as Mr. Bradlaugh is every night in this House. I do not want to do anything to prolong this dreary debate. The House is very naturally anxious to have a speedy end of it; but I wished just to explain that I will vote against the Bill, not because it offers the freest toleration of opinion, or because it dispenses with an Oath, but because it goes just as far as Party expediency requires and no further; because its true scope and purpose and effect are not honestly avowed, and because, under all the circumstances, its success would not be the triumph of religious toleration, but would be a matter of insolent glorification for a man who is the Alpha and Omega of this measure, and for a principle which is the negation of all principle.

Mr. D. GRANT said, that on this question they had another instance of those curious alliances that took place between the different sections on the opposite side of the House; and he ventured to call it a holy alliance, owing to the policy pursued by hon. Members on the other side of the House. He could not understand why the Irish Members were so ready to deny that representation to the borough of Northampton which they so strenuously advocated for their own country. Mr. Bradlaugh was simply technically excluded from the House at present, and this Bill would but bring the position into harmony with the absolute facts. The Liberal Party were now fighting for the very same principle as that which secured the hon. Member for Greenwich (Baron Henry de Worms) his seat. That principle was that of absolute freedom of thought. There were a large number who said they possessed such profound abhorrence of Mr. Bradlaugh and his views that they were unwilling to submit to the conditions by which he would secure his rights in the House. If those opponents of Mr. Bradlaugh desired to give him a publicity which no money could purchase, or grant him a position which no skill or power of his own could secure, and if they desired to make him what he was to-day—the mouthpiece of a certain class throughout the country—they could not adopt a more effectual method. As to the popular feeling upon this subject, he might mention that he represented a constituency of 500,000, or one equal to one-fiftieth of the entire population of England. The general opinion of that constituency was that this question should be settled on the lines of the Affirmation Bill. Did not the Irish Members secure their rights upon this same principle of freedom of thought?

Mr. O'BRIEN: We fought for it.

Mr. D. GRANT: You fought for it. And what did we do? Did we fight for you, or against you?

Mr. O'BRIEN: You fought against us.

Mr. D. GRANT said, he denied that such was the case. The men who were supporting this Bill were the men who had fought for civil and religious liberty everywhere; and whether the present battle was lost or won, the victory lay before them in the future, and it would be won by those men who were the Representatives of religious freedom, and who had fought for that principle in the past.

Mr. GRANTHAM said, that he was much surprised at the speeches of his two hon. and learned Friends who had preceded him, the hon. and learned Solicitor General, and the hon. Member for Wolverhampton (Mr. H. H. Fowler). If their arguments had the slightest weight, or were of the slightest value, the Oath should be altogether effaced from the Statute Book, and from Courts of Justice. Another fallacy which pervaded their speeches, and almost every speech from the Government Benches, was that they forgot that not only had the language and form of the Oath changed, but that its character and object had changed also. They treated the Oath still as a test of religious belief, instead of its now being only a security for truth. Up to the time of Catholic Emancipation it was a religious test; but from that time it ceased to be a test, and became a method merely of securing allegiance to the Sovereign. As the Crown was only a part of the Constitution, and was very much in the power of the House of Commons, which formed now the great motive power in the State, it was thought necessary to confine the Members of the House to those who would owe allegiance to the Crown; and the Oath was retained to bind every Member, on his entering that House, to state in a manner which would insure, as far as it was possible, the performance of his promise that he was and would remain loyal to the Crown. The Oath or solemn Affirmation was not therefore retained, because those who either took the Oath or made the Affirmation did it with the responsibility of feeling that their promise was made in the presence of, and to the knowledge of, One who was the rewarder of good and evil in a future state; and although it might be, as was stated by Lord Coleridge, that Christianity was not a part of the Common Law of England, yet it was clear that, by the Common Law of England, the word of an Atheist was not admitted in evidence, because there was nothing by which they could insure his speaking the truth. In the interests of suitors in Courts of Law, an Act of Parliament was specially passed, by which the statement of an Atheist was now admitted, subject to the liability of punishment for perjury, if he stated that which was not true; but why should they relax that Common Law disability, for the special purpose of admitting to the House one whom they knew was not loyal, and whose whole life had been spent in hostility to the Constitution. No one who viewed the Bill in that light could wonder at the warmth of feeling it had excited. No better speech had been delivered in favour of the Bill than that of the hon. and learned Solicitor General, and yet it contained several fallacious and unsatisfactory arguments. The hon. and learned Gentleman's speech clearly pointed to the abolition of all Oaths, a change for which the House and the country were certainly not prepared. Since the admission of the Jews, said the hon. and learned Gentleman, the tangible or Christian part of the Oath had been discarded, and only the intangible or Theistic appeal to the Deity remained. Surely it was singular that such an argument should be urged by a lawyer, who might be presumed to have a lawyer's appreciation of an appeal to the Supreme Awarder of punishments. The Oath, whether of Jew or of Christian, could not be supposed to be valueless. In reference to the speech of the Prime Minister, sufficient praise had not been bestowed upon that speech for its transcendent ability in making those who heard it, and those who read it, believe that it represented the expression of life-long sentiments, and that it was uttered from the fulness of his heart; whereas they knew, from his previous speeches and the previous conduct of the Government, that the speech was a creation for the occasion, and not the occasion which gave opportunity for the speech; that it was made necessary by the blundering conduct of the Government, and in the hopes of getting them out of the mire in which they were floundering. The hon. and learned Attorney General's speech in presenting the Bill was practical; the Prime Minister's speech was theoretical. The hon. and learned Gentleman the Attorney General told them that the chief reason for introducing it was the fear of Mr. Bradlaugh's position being increased and strengthened by keeping him out of the House; but the Opposition in that House not having the fear of Mr. Bradlaugh before their eyes, the fear of Bradlaugh fell flat upon the House and country; and the Prime Minister, finding it necessary to stir up the feelings of his followers by some more successful suggestion, endeavoured to raise the debate from the depths of degradation to which the name of Bradlaugh had reduced it; and as he delivered that magnificent speech on civil and religious liberty, and made people think he was asking the House to knock off the last fetter which confined within narrow bounds the energy and vitality of religious liberty, instead of, in reality, asking it to knock down a barrier which did in effect preserve religious liberty by excluding from the House one whose life had been spent in endeavouring to destroy it, and in spreading broadcast over the land the filthy and obscene literature which should deprave the hearts and destroy the purity of our people, believing that, by so doing, he would best sap the foundation of "religion and piety in the land." If the sentiments the Prime Minister uttered last Thursday were genuine, why not give effect to them during the three last years? Why allow the question to become embittered as it had been? Why refuse to follow the guidance of the two Committees of the House, appointed to advise the House upon the subject? Why force Mr. Bradlaugh into the House against the law? Why throw the responsibility of vindicating the law on a private Member of the House, and, by misleading him as to his rights, saddle him with untold costs and expenses, though on the real question in dispute he had entirely succeeded? But if any justification was wanted for the charge against the Prime Minister's genuineness in the sentiments he uttered, he (Mr. Grantham) had only to remind the House of the extraordinary event that happened in his speech. The most important and damaging fact which he had to explain away was in reference to their having altered the character of the Bill, and made it not retrospective. The charge was that that was done advisedly to catch votes, when they found that without that alteration they could never pass it. The right hon. Gentleman deliberately gave at length the most explicit and argumentative reasons, which he said induced them to make the change; but no sooner were they given than he was told by another Member of the Government that he had made a mistake, as the facts were entirely different from what he had then just stated; and he (Mr. Grantham) had to admit that he was unable to give any other explanation than that of having made the change because they thought fit to make it. If there was so much doubt, therefore, as to the honesty of the Government in the arguments they had used, the House was entitled to look to the real motives, if they could find them, which induced them to bring the Bill in. There was an old saying, *ex uno disce omnes;* but he thought he might say, in reference to the motives of the Government, *ex omnibus disce una*, for, although the right hon. Member for Birmingham (Mr. John Bright) had said that "force was no remedy," yet they would find that force was the first and only cause of any important measure the Government had introduced in this Parliament. What made them bring in the Land Act? Was it not the force brought to bear upon them by the Land League? What, again, made them father the Home Rulers' Arrears Bill?—the force of the continued murders and maimings of the Land League and their myrmidons. What made them dishonour the English flag in the Transvaal, and sign a Convention that they now were unable to enforce?—it was the force of the Boers, as shown at Majuba Hill. What induced them to yield to the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) on Local Option a few weeks back?—not his arguments, which they had always ridiculed, but the force which the great battalions he could now boast of from the increasing strength of the temperance movement, and the fear of losing their votes; and it was evident that the same contagious disease, which induced them also to knock under to the right hon. Member for Halifax (Mr. Stansfeld)—namely, force—had, in the continuity of their weakness, made them permit Mr. Bradlaugh to become their dictator. In the prayers which were offered up every Sunday for the Houses of Parliament, they asked that religion and piety might be established among them; but the extraordinary proposition of the Government—as to Mr. Bradlaugh's notoriety—amounted to this—that they should not oppose wrong lest wrong should be strengthened. He felt sure the House and the country would not forget the remarkable speech of another right hon. and learned Gentleman, a Member of the Government (Mr. Osborne Morgan), who gloried in the triumph of Mr. Bradlaugh. "Oh!" said he, with a shout of pleasure and a gleam of joy, "Mr. Bradlaugh has beaten you all along the line." Yes; it was true he had scored some victories for the moment. Immorality had triumphed over morality; infidelity over religion; technicalities of the law over justice; but the country would never forget, and, he hoped, never forgive, that throughout these unhappy controversies—these attempts to purge the country of some of his immorality and filth—the Liberal Government was never once on the side of morality, of religion, or of justice, but joined in the shout of triumph that was uttered by Mr. Bradlaugh over their defeat. For those reasons, he should oppose the Bradlaugh Relief Bill with the utmost of his power.

Captain MAXWELL-HERON said, that, as representing a Scotch constituency, where the Presbyterian form of religion was dominant, and considering what had been said inside and outside the House with regard to the way in which the Scotch Liberal Members would vote, he thought it right to make a few observations to the House. When the Resolution was moved that Mr. Bradlaugh should be allowed to take his seat he voted with the "Noes," because he voted against the man; but when the general question came up that a man should be allowed to affirm, he voted in its favour, because he voted for a principle. It had been said Scottish Presbyterians were narrow-minded and prejudiced in matters of religion. That statement he thought was untrue. Had the Scottish people forgotten the battle they fought in years gone by? Had they forgotten the name of Cameron and the Covenanters, and had they forgotten Grahame of Claverhouse, who strove at the point of the sword to force down the throats of an unwilling people a form of religion which they rejected and hated? He listened very attentively to the speech of the right hon. Member for the University of Cambridge (Mr. Beresford Hope), a Gentleman he respected for high religious conviction and belief, one of the champions of the Church of England, and he knew how difficult it must have been for him to argue this question from a Theistic point of view. All the arguments which had emanated from the opposite side of the House had been based upon the fact that Christianity was part of the Common Law; and when hon. Gentlemen opposite tried to argue from the Christian point of view, they were met by that hideous phantom that they had admitted Jews into the Houses of Parliament. That was a very great difficulty. He rejoiced that the Jews had been admitted; but why were Jews admitted? Not because they were Jews and worshipped the God of the Christian religion, but because they were citizens of a great country, and contributed largely towards its Revenue, and had, therefore, a right to share in its application and control. He could not help feeling that the right hon. Member for the University of Cambridge must recognize the teaching of the Athanasian Creed. But what did it teach? It taught them that every man, woman, and child who did not believe the doctrine of the Trinity was consigned to everlasting perdition. It made no difference between Theist and Atheist. They were all numbered in the same category. He asked those hon. Gentlemen who attended church on Good Friday if in the Second Collect they did not pray that God would have mercy upon all Jews, Turks, Infidels, and Heretics, making no distinction as to these classes? He referred to this in no offensive spirit to Gentlemen of the Jewish persuasion, but Gentlemen opposite, who, starting on the Christian platform, had been obliged to come down to the Theistic one. The right hon. Gentleman the Member for the University of Cambridge himself had to admit that the Theism which they were bound to accept was one which a man, in order to obtain a seat in the House, must recognize—namely, a belief in the God of the Jews, because he was the God of the Christian. How could the right hon. Gentleman reconcile such an argument with the teaching of the Athanasian Creed? The noble Lord the Member for Woodstock (Lord Randolph Churchill) had stated in his able speech that Christianity was an integral part of the Common Law of this country; but the noble Lord had to leave the platform of Christianity and come down to that of Theism. The noble Lord had also told them that it was a pure accident that a great part of the Globe was not Arian. For himself, as a Christian, he did not believe in the doctrine of chance. He believed that all these things were regulated by an Omnipotent and a Prescient Being. He did not attach any weight to the prophecies that had been uttered as to the consequences of admitting Mr. Bradlaugh into that House. Surely Arius was a greater man than Mr. Bradlaugh; and if the teachings of Arius 340 years after the birth of Christ had had no influence in shaking the foundations of Christianity, how could they reconcile this fact with the statements of hon. Gentlemen opposite that there was any fear whatsoever from the teachings of such impotent persons as Mr. Bradlaugh and Mr. Foote? The hon. Gentleman the Member for Portsmouth (Sir H. Drummond Wolff), in a speech he made when this subject was first brought forward, was more liberal than he was now disposed to be. He then said he could not refuse admission to any man who believed in "some God or other." Therefore, he supposed a Polytheist would be one most fitted for a seat in this House, for out of the multiplicity of Deities that he adored, one might be found to recommend himself to the religious scruples of the hon. Gentleman. Then that fiery orator, the hon. Member for Dungarvan (Mr. O'Donnell), lectured the Liberal Members on the subject. He would like to ask the hon. Member, who was, no doubt, a sincere professor of the Roman Catholic faith, had the teachings of that faith in Ireland had any effect on the people there sufficiently to impress upon them the value of the Commandment—"Thou shalt not kill?" The hon. Member, who had adorned his speech with the choicest flowers of speech culled from the kitchen garden of rhetoric, had told hon. Members from Scotland that in supporting the Bill they were voting not only against their consciences, but at the risk of their seats. If the Liberal Scottish Members were to lose their seats, if they were to be immolated on the altar of prejudice and narrow-mindedness, then, at least, they would have this consolation. In the words of the noble Lord the Member for Woodstock, he would say that when the men of the future should read the story—when intolerance had given way to tolerance, when religion should not have given way to so-called reason, and when the teaching of the Bible should not have given way to that of *The Fruits of Philosophy*, people of this country should still bask in the sunshine of Christianity, it would be said of these Scottish Members—" Well, they have done their duty." For his part, if he did lose his seat for voting conscientiously in favour of this Bill, he should always consider that he had sacrificed and lost it by subscribing to those principles of justice and equity which had been most rightly said to be the very foundation and basis of all true religion.

Sir MASSEY LOPES said, that this Bill must not be considered as a question of Party or of policy; it was far beyond Party or political expediency—it was one vitally affecting the Constitution of the country—and he ventured to hope that on a subject so important, where Christian principles and religious opinions were in the balance and at stake, political partizanship would not intervene and influence their votes. The supporters of the Bill had argued the question principally on the ground of religious toleration; but he emphatically denied that this was a question of civil or religious liberty, or of religious disability. To say that any question of religious toleration or religious freedom was involved in this Bill was a transparent and palpable deception. No one had more successfully and completely demolished this argument in years gone by than the Prime Minister himself. He recognized as fully as any Member of the House the rights of conscience and of religious liberty. He sincerely advocated the principles of religious equality. As he understood the rights of religious liberty, they were that every man should be able to worship Almighty God according to the dictates of his conscience, without incurring civil or religious disabilities. Members of every religious denomination were freely admitted into the House of Commons. There was no objection to any particular form of religion. Hitherto, in the case of Dissenters and Jews, the differences were differences of creed, and not of religion; but, in proposing this Bill, the Government, under the guise and semblance of religious equality, were really inviting the House to abandon all recognition of religion. The Oaths and Affirmations which were now obligatory upon every Member of the Legislature were not religious tests as distinguishing one religion from another, but simply the recognition of some form of religion. Oaths and Affirmations equally invited an appeal to a Divine Being. A solemn Affirmation was an act of religion; it was equivalent to a sacred obligation. If the Government were consistent, they would omit from the Bill any reference to the "solemnity" of an Affirmation, because the word "solemn" involved a recognition of the presence of a Supreme Being. Solemn meant "in the presence of God;" not a mere promise between man and man. Mr. Bradlaugh could not be disassociated or disconnected from this Bill; it was simply a Bill to enfranchise him; and the true nature of the transaction could not be disguised by any sophistries and evasions, or any special pleading, however ingenious. The Prime Minister had admitted that this Bill was introduced at the instigation of Mr. Bradlaugh. It was a Bill to facilitate the entrance of professed Atheists into Parliament—that was its sole and simple object. This Bill could not properly be said to be an amendment of the Act of 1866, for that Bill was originally introduced to enable Quakers and others who respected and recognized a God to take their seats in Parliament; and he did not think that Quakers would wish to be put into the same category as Mr. Bradlaugh—those who honoured and revered God's written Word, and those who contemptuously rejected and reviled it. If this radical and revolutionary alteration were made, they could not stop there; they must extend the same principle, and must give the same facilities outside as within Parliament in every part of the Constitution affected. That would be a disastrous and a dangerous innovation, and a violent disruption of the rule that religion was an essential principle of the Constitution, and that Christianity was part and parcel of the law of the country. The passing of this Bill would be regarded out-of-doors as a triumph of Atheism and Infidelity; it would un-Christianize Parliament and scandalize the whole religious feeling of the country; it would be prejudicial to the best interests of the nation, and would raise the righteous indignation of the people of the country. He protested against a direct legislative recognition of absolute Atheism. Why was not this Bill introduced into the programme of the Session, and included in the Royal Speech, for all the other subjects sank into insignificance compared with it? Did Her Majesty object to give a prominent place to this Bill? This was a Constitutional question, upon which the constituencies had not yet had an opportunity of expressing their opinions. If any appeal to the country were required on any question, it was on this. He thought that the people ought to have an opportunity of expressing their opinion before this national crime was perpetrated. On every hand, they heard of people coming forward to express opinions antagonistic to the Bill. The Prime Minister himself had admitted the unpopularity of the measure; and the inconsistency of the Government was very remarkable in declaring the Bill to be of no importance, and then suspending the whole Business of the country in order to pass it. In considering this measure he would rather deal with principles than with men; but, at the same time, it was impossible for hon. Members to conceal from themselves the fact that Mr. Bradlaugh was the champion of Infidelity and the apostle of Atheism and immorality. Never had there been a martyr who was so little worthy of sympathy as Mr. Bradlaugh, who had not only avowed himself to be an Atheist, but had also declared himself to be a Republican in both his writings and speeches. All religion had been offensively disowned and repudiated by him. He had not only denied the existence of a God, but had derided and contemned the most sacred doctrines of Christianity. No questions had been asked him; he had criminated himself; he had raised himself the questions which demanded the consideration of the House. It had been said that there were already many Atheists in that House; but, at all events, they had never been admitted into that House as such, and they had made no public avowal of their Atheism. The mere fact that the Bill was not to be retrospective did not alter its principle, neither would it destroy the identity of Mr. Bradlaugh. The hon. Member who had just sat down had referred to the action and feelings of the Nonconformists. He believed, as a body, they were most anxious to uphold the religious character of our national life. In his opinion, religious Dissenters had been much exercised in their minds in reference to this question. He should like to know whether there was any sect of Nonconformists who were going to be Mr. Bradlaugh's religious and political sponsors? He should like to ask the members of such sects whether they had read his writings, whether they had attended his lectures, and whether they, in the remotest degree, sympathized with the principles and the doctrines he enunciated. He believed they abhorred and detested them. Surely this was a time and occasion when every conscientious and right-minded man ought to speak his mind fearlessly, not to halt or to hesitate, not to tamper or temporize. If we had faith in our doctrines and principles, if we had confidence in our religious opinions, we ought to have courage in our religious convictions, and do our utmost to uphold and maintain them. In his opinion, the Roman Catholics had set an example with regard to this question that ought to be followed. The other day he saw it stated that the Roman Catholic Bishop of Northampton had just returned from a visit to the Pope, and had issued an address to the Roman Catholics of Northampton in which he warned them against being beguiled in favouring the claims of Atheists to sit in Parliament. The Bishop said—

> "Atheism leads to Socialism, and we must, therefore, band together to keep out of Parliament the Atheist, who has no idea of the first principles of legislation, which are based upon the existence of God."

He regretted that the Prime Minister should have used his powerful eloquence and his unexampled personal influence in support of this measure. This was not the first time that they had heard the Prime Minister advocating principles which, for the best part of his life, he had resolutely opposed. No man in the House more admired and respected the transcendent abilities of the right hon. Gentleman. He could only deplore the fact that those abilities should have been so greatly marred by so many grave inconsistencies. He should like to call the right hon. Gentleman's attention to a speech which he made at Newark in 1837. On that occasion the late Sir William Molesworth was a candidate for Leeds, and he had declined to state whether he was a believer in the Christian religion, whereupon the right hon. Gentleman the Prime Minister, in referring to the matter, said—

> "Is it not a time for serious reflection among all moderate and candid men of all Parties whether the tie which connects religion with the whole practice of life is to be cut and severed, and no distinction is to be made between a religious man and the man who is an avowed unbeliever as to his fitness for the performance of political duties? Surely you will say with me that men who have no belief in the Divine revelation are not the men to govern this nation, be they Whigs or Radicals; and certainly such Liberalism affords a tolerable indication of that policy by which they would thus tear up by the roots all that is dear to us, and all that makes life valuable."

And yet this Bill, if it became law, would be wholly and entirely due to the personal influence of the Prime Minister. Let him tell the House and the country how he reconciled his expressions then with his practice now. The Bill was very distasteful to many hon. Members on the Government side of the House; and he would only ask hon. Members to weigh the arguments used at Newark, and those employed recently by the same eminent authority—so diametrically opposed to one another—and without favour, without prejudice, and without partizanship, to exercise their own conscientious judgment to which they should give their support. He should like to know whether, if the electors of Northampton had chosen to return a clergyman of the Church of England as their Representative, the Prime Minister would have found equally urgent arguments for modifying the law and altering the Constitution as he now was to pass this measure in obedience to mob agitation? This Bill was a premium on lawlessness, clamour, and intimidation. It was a direct encouragement to future and further agitation, because those outside would feel that agitation led to concession. He did not believe that the House would ever sanction the solemn denial of Almighty God. He did not believe they would ever banish religion from their national institutions. He was satisfied that the Bill was distasteful to hon. Members opposite, and even to some Members of the Government, who, in voting for its second reading, were subjecting their religious opinions to political partizanship. The recognition of religion had been, up to this time, the fundamental principle of our British Constitution—an essential qualification for Membership of that House. He believed it had been the cause and mainspring of our national greatness. He hoped that that religious basis on which the fabric of our national greatness rested would never be abolished.

Mr. ARTHUR O'CONNOR said, that he did not at all approve of the plan of mixing up Mr. Bradlaugh's personal character and writings with the principle involved in this Bill. Had the character of the individual concerned been beyond reproach, he should still have objected to this measure. The question before the House was whether the man who refused to recognize the law of God was fit to make laws for his fellow-men. The Prime Minister now considered he was—they, on the contrary, considered that he was not. Therefore, the issue before the House was clear. The Prime Minister had been good enough to twit the Irish Members with inconsistency, because they, as Catholics, at one time claimed the right to sit in that House, and now they refused that right to another. The charge of inconsistency on this question came very badly from the Prime Minister, inasmuch as he himself at one time made a most emphatic declaration that men holding opinions such as Mr. Bradlaugh professed were unfit to be Members of the Governing Body. They were told that an Oath went to establish or to suggest a double standard of truth; but hon. Members who urged that argument did not seem themselves to realize exactly what was the meaning and purpose of an Oath. No religious man took an Oath voluntarily, if he was not obliged to take it, and no religious man would think of taking an Oath which was not necessary, because to take an Oath which was not necessary was to take the name of God in vain. An Oath was imposed for the satisfaction of the man who imposed it, not for the sake of the man who took it; and that fact lay at the bottom of the original institution of the Oath of Allegiance. He was very much surprised that during the debate the Oath, as it affected the question of allegiance, was overlooked. Did the duty of allegiance rest on the ability or the inability of the Sovereign to punish the traitor; or was there no higher sanction than that of human law? The Atheist recognized no law higher than human law; he measured his duty by his own power of resistance; he knew of no sanction more binding in its nature than brute force. Do away, then, with the recognition of God, and by what authority could they coerce a single individual, except by the sanction of brute force. It was said a man should not be prevented from taking his seat on account of his religious opinions; but the truth was, it was the utter absence of any religious conviction in the Atheist which disqualified him, and that simply because they had not the same hold upon an Atheist as they had upon those who clung to the belief in the existence of a beneficent Creator. Religious liberty must not be confounded with a licence which went to undermine all civil government, which would utterly debase and degrade, as Atheism always had, whenever it showed its head, both man and woman, which would sap social life, and destroy the basis of all law. If it was true, as the Attorney General had said, that an Atheist was not, as such, ineligible for a seat in the House, then it became high time such a person was declared ineligible. What, then, were the Government doing in asking the House to adopt the Bill? Formally and solemnly, in the practical form of an Act of Parliament, to make a declaration that, though religion might be very good for individual and private life, yet that, in effect, and in fact, the Almighty had nothing to do with the public affairs of men. Was the House prepared to make such a declaration as that? Suppose the Bill was passed, they would have at once to change or alter their Standing Orders; for no Member was at present entitled to take his seat and retain it unless he was present at prayers, and respectfully listened to them. Again, by what authority could they, by public enactment, compel men to recognize the Established Church in England, if they made a public declaration that they did not, as a body, think it necessary to recognize the existence of God at all? When they disestablished the Church they were only at the beginning of their difficulties. The Attorney General, the Solicitor General, and other Members had stated that Christianity had nothing to do with the Common Law of the country. He listened to that statement with astonishment; and he would ask hon. Members to explain how it was, if Christianity had nothing to do with the Common Law of the country, they set apart every seventh day as the Lord's Day? If that did not show that Christianity had something to do with the Common Law—for it was not by Statute Law the day was religiously observed—he did not know what could; and if the House declared by the Bill that the recognition of God was of no account, how could they in future compel the observance of the Lord's Day? Further, if the measure passed, they would have to go into every school in the country and take the Bible out of the hands of the children; for how could they have the Scriptures as a portion of the *curriculum* in the lowest schools, as well as in the Universities, if Parliament refused to recognize any longer the existence of the Almighty? He would remind the House also that they would have to send up the Bill to that Royal Lady who reigned over this country "by the grace of God;" and he contended that the whole position of the matter was thus monstrous and absurd. It was difficult to understand how the Prime Minister could have been induced to bring in such a measure as this, and to give it all the weight of his argument and magnificent eloquence. In conclusion, standing there, the Representative of a constituency which was Christian without a single exception, he would say that, whatever might be the opinions of hon. Members opposite, he felt deeply and strongly that the Bill was not only a wrong to the people of England, but also an outrage on the Roman Catholic people of Ireland; and, therefore, he solemnly protested against it.

MR. O'SHAUGHNESSY: This Bill is opposed on two grounds—firstly, on the broad ground that an Atheist should not be allowed into Parliament; and, secondly, on account of the character and career of Mr. Bradlaugh. With reference to the first, it appears to me that the present Rule does not exclude Atheists from Parliament. Any man well known to the community to be an Atheist might come to the Table, take the Bible in his hand and take the Oath, and nobody could object if he did not state his Atheistic views in the House. The only result of retaining the Oath in such a case is to profane it and to render it a mockery. Another thing which has struck me is that it is evident, from the tone of many of the speeches which we have heard against the Bill, that the desire to maintain a test is not the reason why many oppose the Bill, but the desire to exclude Mr. Bradlaugh; and the result is that, if this Bill were brought in unconnected with Mr. Bradlaugh, it would pass by a large majority. ["No, no!"] I know very well right hon. Members on the other side oppose it on principle, and without reference to Mr. Bradlaugh; but it is notorious that, among the opponents, a large number are moved merely by opposition to Mr. Bradlaugh, and that if this Bill were brought in without reference to Mr. Bradlaugh they would support it. I do not think that the interests of religion are being served by the opposition to this Bill. I am bound to say I do not think that the discussion of this question can do any harm amongst educated men, because I regard it as impossible for an educated man to be an Atheist. But I say these discussions are calculated to do great harm amongst uneducated men, and the harm is greatly enhanced by the danger of the opposition making a hero of Mr. Bradlaugh. I respect the opposition offered by hon. Members on the other side of the House. I respect the motives of everybody; but their opposition is not all founded on religious grounds. I have no doubt some of the opposition rests on religious grounds, but not all. This subject was brought before the House in 1882 by the hon. Member for Berwickshire (Mr. Marjoribanks), who proposed to permit Affirmation. He received support from many hon. Members deserving of respect, including an enlightened English Catholic Gentleman—the hon. Member for Berwick (Mr. Jerningham). I go back to July, 1880, and I find a proposal made by the Prime Minister that Mr. Bradlaugh should be allowed to affirm, subject to such legal consequences as might result from it; and I find the names of 11 Roman Catholic Members supporting the proposal; and I find—what is still more remarkable—when Mr. Alexander Sullivan, then a Member of this House, proposed that Mr. Bradlaugh should not get the benefit of the Prime Minister's victory, and that the Resolution which was adopted on the Prime Minister's Motion should not be retrospective, no less than 10 Roman Catholic Members insisted against Mr. Sullivan to give the right retrospectively to Mr. Bradlaugh. It is well known that these Gentlemen are about to oppose this Bill, although it is not retrospective. Now, the religious question is just the same as in 1880. [*Cries of* "No, no!"] It will be for hon. Gentlemen who voted for the Prime Minister's Motion in 1880, and against Mr. Sullivan's Amendment, to point out where the difference lies. I do not think I see any of them sitting there now; but the altered course of hon. Members surely cannot be altogether the result of their religious views. It is perfectly well known and admitted that this occasion is fairly regarded as a legitimate opportunity for attacking a political adversary. I have always supported Mr. Bradlaugh's claim to sit in this House, on the ground that he had a legal right to do so, and that it would be unjust to refuse his claims. The Bill appears to me only to propose that Mr. Bradlaugh, if returned again, should be allowed to do by affirming that which he was legally entitled to do the second time he was elected by taking the Oath, and what he was illegally prevented from doing. These grounds make it simply a matter of justice on my part to vote for this Bill. Mr. Bradlaugh's conduct has nothing to do with the question. That concerns Northampton. The hon. Member for South Devon (Sir Massey Lopes) quoted the words of the Roman Catholic Bishop of Northampton asking the people not to vote for Mr. Bradlaugh. I thoroughly agree with the Bishop of Northampton; but the way to keep Mr. Bradlaugh out of the House of Commons was not to return him. That concerned the people of Northampton. If I had a vote in the borough of Northampton I would travel

100 miles to give it against Mr. Bradlaugh, because I think his teachings on moral and religious subjects are of the most pernicious kind; but that is not the question here. With me the question resolves itself into this—that Mr. Bradlaugh has a perfectly legal right to sit in the House; and, therefore, I am bound to give effect to that right by voting for the Bill.

SIR JOHN R. MOWBRAY said, he considered it an improper way of stating the case to argue that the Bill was opposed with a desire to exclude Mr. Bradlaugh. The fact was that, by the existing law of the land, Mr. Bradlaugh was excluded, and this Bill was introduced with the view of admitting him. All these questions were not Party questions in any sense, and he hoped they never would be questions of Party; and he rejoiced to know that those who opposed the measure would find considerable sympathy from Members on the other side of the House. He would point out, too, that the 600,000 persons who signed Petitions against the Bill could not possibly be said to be all Tories. The right hon. Gentleman at the head of the Government had made a speech which they had all admired; and at the end of it he (Sir John R. Mowbray) had almost been driven to the conclusion that the right hon. Gentleman and those who sat near him were the real champions of Christianity, and that those who opposed the Bill were, after all, only miserable Deists. The right hon. Gentleman the Prime Minister had said that the Oath might have been taken by Voltaire; Mr. Dale, of Birmingham, said it might have been taken by Pontius Pilate or Nero; and a clerical writer in *The Guardian*, closely connected with the Prime Minister, described it as an anti-Christian Oath; but was that so? What was the Oath? A Member came up to the Table, took the Oath, held in his hands the Book which was the revelation of truth to every Christian, and called God to witness. Was not that a Christian Oath? And what was the case with the Jew? He came up to the Table, and took the Oath on that portion of the Scriptures which the Christian respected as much as the Jew, and he swore by the same God. Take what words they might, the God by whom they swore was the God of the Hebrew and the God of the Christian, and was not "some God or other"—such a God as might have been worshipped in the period of the Antonines or the Reign of Julian, or such as was referred to in the philosophy of Lucretius, as the right hon. Gentleman had suggested to them. The reason why Dissenters were allowed to affirm was that they, too, appealed to the New Testament, which said to them—"Swear not at all." He desired to press these facts upon the House, because the Government and their supporters had laid great stress on minimizing and abusing the Oath. The question of the Oath had rested for 25 years, and they on that side of the House said that it was not because there was any demand for this change throughout the country that the Bill was introduced, but it was in the interests of one individual man; and all the great schemes of the Government were postponed in order to introduce Mr. Bradlaugh into the House. If they conceded the question of invoking the Deity with the Oath, how long could they secure the Declaration of Allegiance to the Crown? If they began to give way to persons with all sorts of speculative opinions the House of Commons would not long remain a Christian Assembly, and very soon they might forego prayers and dispense with the services of the chaplain. The individual they wished to admit to the House did not only not believe in God, but he did not believe in the Monarchy, and the two principles of "Fear God and honour the King" were inseparably bound up together; and if the name of God were omitted from the form of the Oath, a claim might soon be set up for the abolition of its substance.

SIR JOSEPH M'KENNA said, that the electors of Northampton had nothing to complain of in the way in which Mr. Bradlaugh had been treated. They had full notice of the objections taken against his election, and they certainly might have elected someone else if they had been disposed. Until he heard the speech of the hon. and learned Member for Limerick (Mr. O'Shaughnessy), he had hoped that the claim of Mr. Bradlaugh to sit in the House had been disposed of. The hon. and learned Member thought he had made a point, because, in 1882, certain Roman Catholics voted for the Motion of the Prime Minister, on the strength of statements that he had a legal right to sit; but surely that was no reason why they should support this Bill. They supported the Premier's Motion out of respect for the law, and not from any desire that Mr. Bradlaugh should be added to the number of legislators. His alleged right to sit having been disposed of, hon. Members were going to give their votes on the real question now at issue—whether Mr. Bradlaugh and such men should be admitted to Parliament in the future. He sincerely hoped the Bill would never become law. The Bill would not in itself admit Mr. Bradlaugh; he would have to be returned again by his constituents, and would have to come there and take some form of Affirmation. The only argument which had been used for the purpose of securing votes was based on the assumption that there was no existing test which excluded Atheists. It was possible there might be some Atheists in the House at present; he would assume that there was one. Such a Member, however, had not affected them with notice of his Atheism; he had concealed that fact when he entered the House; and he was bound to respect the religion of the House, the religion of the country, and his obedience to its laws, which society itself would impose upon him. The case of Mr. Bradlaugh was wholly different. In his case, to use a legal phrase, the House was like a purchaser affected with notice. They knew very well that he was not only an Atheist, but an agitating Atheist, and that he intended to use that House as a platform from which to work upon the religious belief of the country, and he believed he would use it for that purpose with great effect. Up to that time, Mr. Bradlaugh appeared to imagine that he had won all along the line. Even if he won there by the passing of this Bill, that House was not the only test which such a Bill had to pass. It had also to pass the House of Lords—["Oh!"]—to which he would not further allude under that name; and if it was passed by a small majority, perhaps the Government would not venture to pursue it, and then where would be the victory all along the line? The Prime Minister had used his influence in favour of this measure; but the Prime Minister was not a humble Christian. He was proud of his righteousness in a certain sense; and he felt himself clothed, so to speak, with a garment of asbestos, which could not be consumed by such weak flames as Mr. Bradlaugh might bring to bear against it. The beginning of wisdom was the fear of the Divinity. Religion itself meant a restraint; it meant a restraint imposed upon them by their consciences—a feeling that there was a Superior Power, Who held them in the hollow of His hand. It was a restraint which equally bound one class of Christians and another; and when they came to reflect upon the vistas of licence that were opened to them upon the theory that there was no future state and no God, the House might well reflect before admitting a man like Mr. Bradlaugh to the House. The hon. Member for Wicklow (Mr. M'Coan), in the course of his speech, had quoted certain passages from Mr. Bradlaugh's works. He believed that Mr. Bradlaugh had himself called out "No, no!" and the sitting Member for Northampton (Mr. Labouchere) said there was no foundation for those statements, and that they had long since been retracted. He had there some books containing passages to the same effect bearing the *imprimatur* of Mr. Bradlaugh's publisher, and possessing all the evidences of authenticity; and though he would not trouble the House with citing them the volumes were there, and anyone who desired to do so might see them. The hon. Member for Queen's County (Mr. Arthur O'Connor) had already stated the objection which existed from the Catholic point of view to Mr. Bradlaugh. The hon. Member had by no means overstated the intensity of feeling on this subject; and he (Sir Joseph M'Kenna) ventured to say that there was not one constituency—not even the constituency of Limerick—which would not repudiate as a violation of the sentiments of Ireland any support given to this Bill.

Mr. WALTER said, there was one remark which fell from the hon. Member for Queen's County (Mr. Arthur O'Connor) which he was quite sure the majority of the House cordially agreed with. That remark was that, throughout the whole course of the debate, personal considerations respecting Mr. Bradlaugh had occupied far too prominent a place. It was, no doubt, impossible wholly to exclude such considerations from this subject; but he was strongly of opinion that the name of Mr. Bradlaugh had been too much imported into the discussion. When he was sitting there last Tuesday listening in agony to the discussion which preceded the opening of the debate, he confessed he was rather pained to hear the observations which were then made about Mr. Bradlaugh, nor did he think they were conducive to the dignity of the House. He was reminded of a ceremony which used formerly to take place in the village of Wokingham, and which was only abolished about 60 years ago. It was upon St. Thomas's Day, when the authorities, first of all, duly celebrated the day by going to church, and when the service was over they repaired to the market-place to bait a bull, and when the bull had been baited he was afterwards killed and eaten. Now, he did not think it was a very generous practice to bait any animal, whether man or beast, who was muzzled. That was one reason why he was glad that this debate was drawing to an end. He would not have troubled the House in this debate had it not been for the part he had taken on previous occasions. He was one of those who strongly opposed Mr. Bradlaugh's taking the Oath, and he had never regretted the vote he gave on that occasion. He thought that, considering that Mr. Bradlaugh had really put himself out of Court by acknowledging his unfitness to take the Oath, and by proposing to substitute an Affirmation, the House was not only justified, but was bound to see that the Oath was not profaned by his taking it. But he coupled the remarks he then made with the distinct statement that, inasmuch as he considered that Mr. Bradlaugh was precluded from taking his seat in the House by the door of the Oath, he ought to be allowed to do so by the door of the Affirmation. He supposed that 99 out of every 100 people one might meet in the street, if asked to say what was the object of this Bill, would say that it was a Bill introduced for the purpose of admitting into Parliament Atheists in general, and Mr. Bradlaugh in particular. ["Hear, hear!"] The cheers of hon. Gentlemen opposite showed that he was perfectly well founded in his opinion as to the popular interpretation placed upon the Bill; and he was bound to say that, if that interpretation were correct, those who held it to be so would have a good deal to say for themselves; but that was not his view of the Bill. His view was that it was a Bill to enable Mr. Bradlaugh, or anybody else of the same character or description, who was not legally disqualified from taking his seat, to take it in such a manner as not to shock the feelings of the House. It was no discredit to Mr. Bradlaugh, when he came down to take his seat, to offer to do so by way of Affirmation. He thought it himself very natural that anybody should think that the same ceremony and form, couched almost in the same language, as enabled and was required of an Atheist to give evidence in a Court of Justice, might enable him to qualify himself for sitting in Parliament by tendering a Declaration of Allegiance in similar terms. At all events, it was a natural mistake to make; and he confessed it his opinion, looking to common sense and the technical construction of the Affirmation Statute, that it was perfectly fair and reasonable to suppose that anybody who could qualify himself by making an Affirmation in a Court of Justice, to give evidence on which the lives and property of people might depend, should be able to qualify himself by using the same words for declaring his allegiance to the Queen. But they knew that opinion had been set aside by the Courts of Law, which held that the Statute was not intended to include persons of that description. But, on the other hand, the least creditable part of Mr. Bradlaugh's conduct was in coming down and offering to take the Oath that he had previously declined to take. He should not offer any justification of that conduct. He strongly opposed it at the time, with the proviso that when the time came for allowing an Affirmation to be made he should support it. Another point, he thought, would be set right by passing this Bill. The House, at present, was placed in an absurd dilemma. It had been supposed by some people that there was an essential distinction between the case of a man making an Affirmation in that House and in a Court of Justice, as if, on the one side, there was simple compulsion, and, on the other, free will. But that was not the correct view of the case. A Member elected by his constituents was bound to sit. He had not the power of releasing himself. He might ask for the Chiltern Hundreds; but that might be refused. He had no power to disqualify himself from performing his duties in Parliament. Mr. Bradlaugh had been elected for Northampton, and was bound to sit, but was prevented from taking his seat by a vote of the House. He thought that an untenable and an absurd proposition, and one desirable effect of the Bill would be to put an end to so absurd a condition of things. The only alternative seemed to be this. If they wanted to disfranchise Atheists, let them do so by Statute. If they succeeded in throwing out the Bill, they were bound to bring in a Bill distinctly to disfranchise them. If they had the courage of their opinions, let them do so. He would not say it would not be a good thing if Atheists were excluded; but, if so, why should not people who led bad lives be also excluded? Unless they were prepared to face the difficulty of such a proceeding, and the difficulty of having to decide, by Courts of Law, who were or were not Atheists, he could not see what alternative they had but simply to allow any man, no matter what his opinions, to make a simple Declaration. He would refer to a passage quoted by the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross), and also by the Prime Minister. It was the famous *dictum* of Lord Lyndhurst, uttered 25 years ago, about religious liberty. He was no wild enthusiast about religious liberty. He looked on it, not as the most desirable thing on abstract grounds, but that it was simply necessary, in the present imperfect condition of society, to prevent greater evils—the evils of religious persecution. He accepted in that sense the *dictum* of Lord Lyndhurst, which was as follows:—

> "Religious liberty I take to be this—that everyone, with respect to office, power, or emolument, should be put on a footing of perfect equality with his neighbour, without regard to his religious opinions, unless those opinions are such as to disqualify him for the proper performance of the duties of his office."

Now, that was the hinge on which the whole question hung. What was Atheism? What were the opinions of any creed which might be supposed to disqualify a person from performing properly the duties of a Member of Parliament? The answer was given by one right hon. Gentleman, who was a great authority in that House—namely, Mr. Roebuck. Mr. Roebuck would have excluded Mormons as being unfit to associate with their fellow-men. That was a curious remark, because he (Mr. Walter) apprehended that they were disqualified by the Criminal Law if they attempted to push their theories into practice. When he was in the United States he was introduced to a Mormon, who was a Member, he believed, of their House of Representatives, so that they were not there disqualified; but it was perfectly clear that they could be dealt with by the Criminal Law if they attempted to carry their opinions into practice. He apprehended that the point was this. Nothing really disqualified a man on account of his religious opinions unless they could bring him within the Criminal Law. Some people really talked as if the House of Commons were a model of virtue and orthodoxy. The noble Lord the Member for Woodstock (Lord Randolph Churchill) said, the other night, that a man who was an Atheist, and thereby liable to be held incapable of taking charge of his own children, was *à fortiori* unfit to sit in that House. Now, he (Mr. Walter) would give them a strong instance, showing that a man could not be disqualified on that ground. When he was at Eton he recollected seeing a remarkable man who came down there. He only saw him two or three seconds; but his countenance made an indelible impression on his memory, and he remembered even now his dress. He came down to see his son, and what benefit that boy was likely to derive from the parent's visit might be inferred from the fact that a short time afterwards the parent was held by the Court of Chancery, under Lord Eldon, unfit to have charge of his son. That parent was Mr. Long Tilney Wellesley Long, who was a Member of that House, and afterwards occupied a seat in the House of Lords. He found the greatest difficulty in believing that any human being above the level of a savage was really an Atheist at all. He would mention a curious fact that came to his knowledge only a short time ago. He went into his library to consult a book in which was to be found all kinds of information. That was *The Encyclopædia Britannica.* He looked at the eighth edition of that work under the word "Atheism," and found this brief account—

> "Many, both ancient and modern, have pretended to Atheism, or have been reckoned Atheists by the world; but it may justly be questioned whether any man ever seriously adopted such a principle."

That was only an account of what Atheism was 30 years ago. Perhaps it might be said that there had been a great development of Atheism since that time. But in the last of all of the work to which he had referred he could find nothing at all under the head of Atheism. Did people really mean to say that there was any danger from Atheism to that House or to the country at large? There were two classes of Atheism. He was not speaking of the large class of people who, in the language of preachers, were living without God in the world, but of a class of what might be termed speculative Atheists—a very small class of persons, who were so absorbed in the study of second causes that they forgot all about the first, and, indeed, almost reasoned themselves out of their own intellects; but such Atheists were few, and had little or no influence. But as for people making the denial of God the basis of their conduct in life, he, for one, did not believe in the existence of any such class. When he considered the poverty and sickness, the pain and misery, the disappointment and disgust, nay, the very surfeit and satiety which existed all around them, he was quite sure that Hamlet's famous question, "To be, or not to be?" would be answered by multitudes in a very different manner, but for the instinctive, ineradicable belief in God, and the dread of that "undiscovered country, from whose bourne no traveller returns." Even the great Roman orator and philosopher had expressed the same thought when he said—

> "Vetat enim dominans ille in nobis Deus injussu nos hinc suo demigrare."

He would like, however, to offer to hon. Members opposite one or two words of consolation. The hon. Member for North Warwickshire (Mr. Newdegate) had said that he believed that the Bill aimed a deadly blow at Christianity. But that, as he (Mr. Walter) well remembered, was the language used 25 years ago with respect to the removal of Jewish disabilities. He was a Member of the House at that time, and was present at the debate which then took place.

MR. NEWDEGATE wished to correct the hon. Member. He did not say the Bill would deal a deadly blow at Christianity, but at the Christianity of the House.

MR. WALTER said, that Lord Chelmsford did at that time use those very words, that the admission of Jews into Parliament would be fatal to Christianity; and the noble Lord the Member for Woodstock (Lord Randolph Churchill) said that this Bill would deal a deadly stab either at Christianity, or at religion in general. The House would remember that even so liberal-minded a man as the late Dr. Arnold entertained the same opinion as to the effect of the admission of Jews into Parliament; but what had been the actual result? Had the Christianity of the House really suffered, in the opinion of hon. Members, from the admission of the Jews? He believed the effect had been directly the reverse, and that so far had the emancipation of the Jews been from injuring the Christian character of that Assembly, that it had been a great advantage to any Christian Member of that House to have a class of persons before him who would remind him of the truth of his religion. When he saw a Jew sitting before him in that House, he saw one of the most remarkable people that exists, or ever had existed, on the face of the earth. "Wanderers among the nations," persecuted in some countries, welcomed and esteemed in others; attaining to the highest eminence in art, in science, in law, in literature, in politics, with one and only one characteristic blessing unrevoked—"And thou shalt lend to many nations and shall not borrow," there they stood, ancient monuments of a past dispensation, of which we inherit the fruits, yet condemned for the present to see their land desolate, their city in the hands of strangers, "because it knew not the day of its visitation." Yet they trusted it had still a better time in store; and they looked upon it with love and hope. There was one more lesson they might draw from the presence among them of those who did not share their religious beliefs. The presence of such men might have the effect of throwing them back upon themselves, and of making them realize, as they might not otherwise have done, the reasons for the convictions which they cherished. It was never too late to despair of the conversion of any man; God forbid that they should do so, even in the case of an avowed Atheist. For his part, he would rather have to deal with an avowed than with a concealed Atheist. If they had yet to reckon with Atheism, whether in or out of that House, let them not enter the lists weighted with the armour of political injustice. It had been well said that error was never a match for truth; but it was often more than a match for truth and persecution combined.

Mr. RITCHIE said, that he represented one of the largest constituencies in the country, and one which consisted mainly of working men; and, in his opinion, during the 10 years he had sat for the constituency, he never more truly represented their sentiments than in opposing that Bill. He was as strong a supporter as any man of the principles of religious toleration; and no one could recognize more cordially than he did the great services rendered by the Liberal Party in support of those principles. But he could not, like the hon. Member for Berkshire (Mr. Walter), compare the present state of things with the admission of Jews and Roman Catholics to that Assembly. To do so was the grossest libel on Jews and Roman Catholics. In their case there was a genuine conscientious objection to the taking of the Oath then enforced. There was no such scruple in Mr. Bradlaugh's case, as that gentleman was prepared to take any form of Oath which might be tendered to him. Besides, in the case of Jews and Roman Catholics, whole classes of the community were excluded; while the present Bill was brought in for the benefit of one man only, who represented nobody. The argument of the Attorney General and the Judge Advocate General that there had been, and were now, Atheists in the House told against, and not in favour of the Bill; for, if that was so, what need was there to alter the law? It was contended that Atheists could now only gain admission by desecrating the Oath. That, however, was not the fault of the House. He did not, however, admit the fact, as he thoroughly agreed with the hon. Member for Berkshire in doubting the existence of a genuine Atheist. There was no class of men kept out by the present law; but one man only—Mr. Bradlaugh. Nor would he have been excluded if he had not chosen to insist on entering the House, not as a Liberal or even as a Republican, but in the character of an Atheist. That was proved to be the case, not only by Mr. Bradlaugh's conduct, and by the open statements of the organ which represented his views, but by Mr. Bradlaugh's own words, he having publicly stated that he intended to plant the banner of Freethought in front of the Speaker's desk that he might have a good look at it. The Prime Minister had said that the law had in each case of enfranchisement been altered for the sake of one man. But, if that was so, it was impossible to stop at that Bill. To-morrow a man might come forward and object not only to the taking of the Oath, but to making an Affirmation. If that were so, the Government would be logically bound to pass a law for the abolition of the Affirmation. The right hon. Member for Montrose (Mr. Baxter) entirely recognized that necessity, and urged that both Oath and Affirmation ought to be done away with. Was, however, the House prepared to abolish all tests of loyalty to the Crown? The right hon. Member went on to say that Oath and Affirmation were alike needless now, as the Oath was, in the first instance, imposed to insure allegiance to the reigning Sovereign, and there was now no question of that. Was that not contrary to fact in reference to this very matter? At a meeting of the Republican Club Mr. Bradlaugh was reported to have brought a terrible array of accusations against the House of Brunswick, saying that he was loyal to the England of Hampden and of Cromwell, but that he would not be loyal to this German Family. Could it, therefore, be seriously contended that there was no desire on the part of anyone who came into that House to overturn the Monarchy? This Bill he regarded as the beginning of a revolution both social and political. It would secure the triumph of Atheism with all the obnoxious doctrines which the great disciple and high priest of Atheism preached. And for whose benefit were they asked to make this dangerous change? The Prime Minister had himself declared that public opinion was not in favour of the Bill. [Mr. Gladstone dissented.] The Prime Minister shook his head; but he remembered the right hon. Gentleman saying that at every recent election he lost votes and the Conservatives gained them in consequence of this measure. What was the meaning of that, but that the Bill was unpopular? Indeed, they need not go outside of that House to know that. The right hon. Gentleman, with his great majority of 120 or 130 behind him, would consider it a triumph if he were to carry this Bill by a majority of 20. No class had asked for the Bill. It was intended for the benefit of one man, who for 30 years had reviled the faith of the people of this country, who had blasphemed the sacred name which they revered, who had undermined the sanctity of family life, and who had only escaped, by a legal quibble, from the punishment he deserved for the promulgation of filthy literature. The Attorney General, in moving the second reading, and the Judge Advocate General, in the extracts he gave them from his old Burials Bill speeches, told hon. Members on that side of the House that they were responsible for the position which Mr. Bradlaugh had now achieved in this country. He remembered the Judge Advocate General leaning across the Table and saying to them—"Who was Mr. Bradlaugh three years ago?" Let hon. Members on the right hon. Gentleman's own side of the House answer his question. Mr. Bradlaugh was but an obscure individual until the Liberal Party took up his cause in the year 1880. They on that side of the House had been perfectly justified in every action they had taken in reference to Mr. Bradlaugh, and, in fact, were forced to take it, in consequence of the course pursued by the Liberal Party. Every exertion which could be made, official and non-official, was made in 1880 to induce the electors of Northampton to return Mr. Bradlaugh; and the great name of one of the most justly respected members of the Nonconformist Body was pressed into the service. What did the following telegram mean which came from him?—

> "I strongly urge the necessity of united effort by all Members of the Liberal Party, and the sinking of minor and personal questions by many with whom I deeply sympathize, in order to prevent the return, in so pronounced a constituency, of even one Conservative."

It was true that the hon. Gentleman who sent that telegram had since regretted having sent it; but the repentance came too late—the mischief was done. Rather an Atheist than a Conservative; that was the cry in Northampton in 1880. No doubt, the Liberal Party bitterly regretted now the course they pursued at that time. They thought then that the election would be a very narrow one, and that every vote would tell; and, consequently, they supported Mr. Bradlaugh's candidature. When, however, they found that they could have dispensed with Mr. Bradlaugh, they regretted very much the support they had given him. The subsequent conduct of the Government had materially added to the notoriety of Mr. Bradlaugh. If they had dealt with the question straightforwardly and strongly it would have been settled long ago. But, instead of doing that, they began to pursue the policy which they had so frequently pursued since—the policy of delegation. They delegated their responsibility first to a Committee of that House, and then to the Leader of the Opposition, and the Leader of the House shirked his responsibility in a manner unparalleled in the history of the House of Commons. The crowning act for the notoriety of Mr. Bradlaugh was the introduction of this Bill in response to the pressure brought to bear upon the Government by Mr. Bradlaugh and his followers. If the measure became law they would have done more to erect Mr. Bradlaugh on a pedestal of notoriety than could have been done in any other manner. He had received a letter from a correspondent, long a Member of the congregation presided over by Dr. Kennedy, who was quoted in favour of this Bill by the Prime Minister. Dr. Kennedy had been a Nonconformist minister in his own constituency, well-known as a conscientious and an able man, but also well known as a very extreme politician. His correspondent asked him to state to the House that a large section of the Rev. Mr. Kennedy's congregation was opposed to the passing of the Bill, and that, in a debating society connected with the congregation, a resolution in favour of the Bill had been rejected by a considerable majority. The Government might obtain a small triumph tonight in that House; but the country would award it to those who had opposed this obnoxious and demoralizing measure.

Mr. GOSCHEN: Sir, there is one simple but very important question I should like to submit to the House; and that is this—if it were possible, on this occasion, to discard all Party spirit—if it were possible so to conduct the debate, both in and out of the House, as not simply to attempt to embarrass political opponents—not simply to wound a Government, or to fasten upon a political Party charges which those who utter them ought to know to be false; if it were of religion alone that men were thinking in this House; if they were thinking how best to promote religion throughout this country and to maintain reverence for religion—if these considerations were alone guiding the views and the feelings of hon. Members, I should like to know on what side would the vote be cast? For my part, I fearlessly answer the question, and I say that I believe religion would suffer if the Conservative Party opposite were to carry their views. I say it is a dangerous thing for religion that one political Party should attempt to make out that it has a monopoly of that religion, and that its opponents are inspired by a different sentiment. You have brought very many heavy charges against the Liberal Party, both in and out of the House; but I say to the Conservative Party that both in and out of the House they have endeavoured to bring religion into the battle-field on this subject; they have endeavoured to clothe religion in the livery of a political faction. They have endeavoured to pin on her sleeve the badge of a Party. They have put religion in the forefront of the battle; but the cause is yours, not hers. Is it wise, do you think, to put religion in the position in which you have endeavoured to force it on this occasion? I will endeavour to make good my proposition that religion would suffer if this Bill were thrown out; and I venture to say you will find that whether you argue the question from the point of view of the simple admission of Mr. Bradlaugh individually into this House, or whether you argue it from the point of view of abolishing the Oath and substituting an Affirmation as a general measure—in neither case do I believe you will have served the true interests of religion. You—the Conservative Party—have argued the case as if it were that of Mr. Bradlaugh and Mr. Bradlaugh's opinions. [*Cries of* "No!"] I say "Yes." And when the hon. Member for Berkshire (Mr. Walter) just now said that it ought not to be argued from the point of Mr. Bradlaugh he, was cheered by hon. Members opposite; and, further, the Leader of the Conservative Party, when the Motion of the hon. Member for Berwickshire (Mr. Marjoribanks) was brought forward, did not by any means discountenance the idea of introducing a general Bill into Parliament. Nay, my right hon. Friend (Sir Stafford Northcote) said the question of a Bill was a totally different question from the simple admission of Mr. Bradlaugh, and the two questions ought to be treated as distinct. I do not think the right hon. Gentleman has been obeyed by his Party in the view he took upon that point; because, as has already been pointed out to the House, the case has been argued by them as if the simple question were the admission of Mr. Bradlaugh, and that the Liberal Party were burning with desire to see him admitted within these walls. [*Cheers from the Irish Members.*] I see those cheers come from below the Gangway rather than above it. Hon. Members opposite are almost afraid to cheer that statement, at all events, in this House. [*Cries of* "No!"] You cannot look into your consciences and say the Liberal Party are anxious to see Mr. Bradlaugh in this House. But do hon. Gentlemen believe that religion would be endangered and imperilled if Mr. Bradlaugh were allowed to take his seat in this House? [Mr. R. N. Fowler: Yes.] I am afraid the hon. Alderman magnifies immensely the influence Mr. Bradlaugh would have if he sat within this House. The influence Mr. Bradlaugh would have, if he sat within the House, would be the influence due to his own individual abilities and the mandate he received from a single constituency. He would sit here among 650 Members; and I venture to think that Mr. Bradlaugh out of this House, in the circumstances which have occurred, is more dangerous to the interests of religion than Mr. Bradlaugh sitting in this House. The hon. Member who has just spoken said that the Liberal Party have lifted Mr. Bradlaugh out of obscurity. No, Sir; that has not been done by the Liberal Party; it has been done by the House having permitted a political question to be bound up with Mr. Bradlaugh. It is due to the fact that Mr. Bradlaugh's opinions have been mixed up with a principle really dear to the country generally—namely, that a constituency shall be entitled freely to choose its own Representative. It is from that fact that Mr. Bradlaugh has acquired such notoriety that his meetings have been filled to overflowing by many who otherwise would not have crowded to hear Mr. Bradlaugh at all. It is almost an outrage on this House to believe that the presence of Mr. Bradlaugh within these walls would have such an influence as to lead to the consequences that have been described by hon. Members opposite. I think, on the whole, that hon. Members, when they are not at the hustings, and are debating the matter seriously, will prefer to take their stand on another issue, not by continually arguing it side by side with the question of Mr. Bradlaugh's personal opinions, but by putting Mr. Bradlaugh aside altogether. ["Hear, hear!"] That cheer means that now you want to put Mr. Bradlaugh aside. But a short time ago, whenever his name was mentioned, you cheered as if his admission alone were the issue, and the time of the House was continually taken up in reading extracts from his works, and now hon. Members say it is right to put that aside. ["No!"] It is evident that I cannot please hon. Members either way. As a matter of fact, many hon. Members have taken more serious ground than simply the exclusion of Mr. Bradlaugh; they have put the question on the ground of the abolition of the national recognition of Christianity. [Mr. R. N. FOWLER: Hear, hear!] The hon. Member cheers; but, after all, it was not put upon that ground at all. It is not the abolition of the recognition of Christianity, but the abolition of the recognition of Deism, which is alleged as the issue—certainly not the recognition of Christianity, because that point was surrendered when the Jews were admitted. Now, I respect the views and feelings of hon. Members opposite with regard to this point. I think it is an honourable and religious sentiment, and one in which we can all coincide; but the Oath, as it stands at present, I firmly believe to be no barrier against Infidelity and irreligion. It is not a barrier, but a flag—an honoured flag—and if we could keep it, so much the better. But are we, for the sake of a sentiment, to run into the danger we see upon the other side. The danger on the other side is this—that if we are going to keep the religious question mixed up with the political question, we are going to drive large masses of our countrymen into the camp of Infidelity. That is the question that must be faced. Do hon. Members opposite—I ask them as reasonable men—do they believe that, if this Bill were thrown out to-night, or if it were dropped, the question would be buried and would be at an end? Do not they know that, if that were done, religion would be dragged upon every platform in the Kingdom for years to come? Do not they know that the sacred mysteries, for which most of us feel a reverence and awe, would be brought into election contests, and that missiles taken from words and thoughts that we most revere would be flung to and fro, to the great detriment of religion throughout the length and breadth of the land? You cannot bring the question to a close by your vote to-night. If the Bill is thrown out, you will keep up an agitation which—I hope I may be deceived—but which I fear will stimulate in the country that tendency towards scepticism which, while we rejoice to call ourselves a Christian nation, we cannot ignore. We say that we are a Christian nation, and the hon. Member opposite (Mr. Arthur O'Connor) was able to say that he believed he had not a single constituent who was not a Christian; but, among the teeming masses of the country, are there not many whom the voice of Christianity has never reached? Can we be blind to the fact that there is a recruiting ground for Infidelity and scepticism in the country? With the same conscientiousness with which you defend religion on the one hand, we are perfectly entitled to say, on the other, that we believe we shall do better for the cause of religion if we pass a Bill of this kind and settle the question, rather than allow this agitation to go on. Hon. Members opposite speak as if no voice of authority were raised on this side of the question by men eminent in the Church, and who are as anxious as hon. Members opposite themselves for the prosperity of the Church and of religion. Is any hon. Member opposite not aware that distinguished men among the clergy are not wanting who take the same view that we do of the question? I have read the speeches of these men in Convocation with delight, and have contrasted them mentally with the speeches of political Churchmen in this House who see nothing but one side of the question, and who are animated, to a certain extent, I am afraid, by the Party advantage which they see before them. A right hon. Gentleman this evening has said that he believes that many on this side of the House will not vote according to their consciences. That is a taunt; but the taunt is equally true on the other side also. You have said that there are Liberals who will vote for you. How is it that, although in the Church there are men who hold our opinions, there is not a single political Churchman who takes our view? I shall give my vote on this occasion without compunction; and I know that, however loud may be the cheers that will greet a close division, those cheers will not indicate any victory for religion. They will simply indicate a political triumph, for which we may have to pay dearly in continual agitation — an agitation in which religion will be dragged before every constituency, but from which religion will not, I hope, suffer that injury which is certain to follow if this contest is continued, and if the demands of the people should be refused.

SIR STAFFORD NORTHCOTE: Mr. Speaker, I must confess that I have some difficulty in understanding with what object or in what interest the speech we have just heard has been delivered. It seemed to me that a right hon. Gentleman who was so disposed to accuse his opponents of Party spirit on a question which he himself represents—and truly represents—as being one of the greatest magnitude and one of the greatest national importance, and of importance, above all, to the cause of religion itself — should have himself abstained from adding fuel to the fire and creating and stirring up the very heat and animosity to which he professes to object. I do not wish to say very much on that point, because it seems to me that the right hon. Gentleman's speech was the speech of a man who felt he was fighting a losing game; and I can excuse, and I think we all should feel disposed to excuse, a little irritation under such circumstances. I must say, for my own part, that I had hoped it might have been possible for me, in the few observations with which I shall trouble the House, to have avoided altogether anything in the nature of personal or Party contention. But it is impossible, after the speech of the right hon. Gentleman, and after some observations which have been made by other hon. Members in the course of this long debate, that I should avoid saying a few words with regard to my own course, and that of my Friends in this matter. The charge which has been brought against us, and against myself in particular, by the Prime Minister, by the sitting Member for Northampton (Mr. Labouchere), and by several other Members, has been, in effect, that I had at an earlier stage of these proceedings recommended and been favourable to legislation, and that I have now, for some reason or other best known to myself, changed my course. [Mr. GLADSTONE dissented.] I do not say that the right hon. Gentleman said that in so many words. I am speaking of the references which have made in the course of the debate, and I will except the Prime Minister in respect of this particular statement. He never got beyond the broadest possible innuendoes. Of course, when he spoke about snatching a temporary advantage by appealing to religious prejudices, he had no intention whatever of imputing any Party motives to us. But in reference to what was said by the Attorney General, by the right hon. Gentleman the Member for Ripon (Mr. Goschen), and by the hon. Member for Northampton (Mr. Labouchere), I know I am right in this—that they charged me with having changed my opinion on this subject. Now, what I said was the same as what my right hon. Friend (Sir R. Assheton Cross) said on the first evening of the debate—namely, that what we did was to argue that the Government, by taking the course they did, by endeavouring to avoid the points really at issue, by endeavouring to get over them by closing their eyes on one occasion and by supporting the Previous Question on another —were taking a course which was not one that could possibly get us out of our difficulties; and we argued that if they were to attain the end at which they were aiming, it was necessary that it should be done by legislation. I have rarely, I think, troubled the House with quoting from myself; but I hope I may, under the circumstances, read what I said as far back as July 1, 1880. I then referred to a statement which had appeared in one of the morning papers—which I said was entirely unauthorized, and one which I did not accept—to the effect that I was about to make a proposal on the matter; and I added—

> "What I am prepared to say is this—that if you deal with it at all, you must deal with it by legislation."—(3 *Hansard*, [253] 1284.)

My hon. Friend the Member for the Tower Hamlets (Mr. Ritchie) remarked just now that we are thoroughly justified in that contention by the course the matter has taken, by the decision of our own Committees, and by the decision of the Courts of Law. Because we objected to a particular mode of proceeding, and because we said that if we were to proceed with the matter it must be by another course, it does not follow that we committed ourselves to the approval of that course. That would be a ridiculous assertion. I may refer to an illustration given me a few minutes ago which I think is an extremely apposite one. In a former Parliament, we objected very much to the course taken by the Ministry of the day in carrying the Abolition of Purchase in the Army by means of a Royal Warrant; and we said—"If it is a measure that ought to be carried out at all, it should be done by legislation?" Did that mean that we were in favour of such legislation, and intended to support it? Not at all! We merely meant to say that the course proposed to be taken by the Government was the worst method they could pursue. I will not detain the House by other charges which have been made in regard to ourselves; but I must say one word in reference to the cock-and-bull story which the hon. Member for Northampton (Mr. Labouchere) was good enough to bring before the House—that I, forsooth, had taken one line at one time in supporting the Government, and then through, some pressure or influence on the part of Lord Beaconsfield, that I changed the course I had originally adopted! Never was a statement more absurd. I see the hon. Member for Northampton (Mr. Labouchere) pointing across the House. I do not care from whom the story comes. What I say is this—that it is not a correct statement, and it is not founded on the facts of the case. In the beginning of this transaction we had fair notice, or rather fair notice was given to the House. The Government and the leading Members of the Opposition were all perfectly well aware, from the notice given in a frank manner by the hon. Member for Northampton (Mr. Bradlaugh) himself, that it was his intention to present himself and claim the right to affirm. We considered—I am now speaking of Lord Beaconsfield and several of my Friends—what course we should take; and we were unanimously of opinion—and Lord Beaconsfield entirely supported that course—that we ought to support the appointment of a Committee of Inquiry. When that Committee reported that Mr. Bradlaugh had no right to affirm, and when Mr. Bradlaugh suddenly presented himself at the Table, and was preparing to take the Oath, he was promptly challenged by my hon. Friend the Member for Portsmouth (Sir H. Drummond Wolff). My hon. Friend challenged the right of Mr. Bradlaugh to take the Oath, and in the discussion which followed I supported the contention of my hon. Friend. During all that time I was in daily consultation with Lord Beaconsfield, and I knew his thoughts and his feelings on every part of the case. We discussed it together; but to say that I was led to change my course is utterly untrue, because I did not change it; and to say that it was under Lord Beaconsfield's pressure that I did so is, of course, equally untrue. It is most painful to me to have to go into questions of this sort, for I am desirous of discussing the question on the merits of the Bill itself, and to avoid, as far as possible, the imputation of being actuated by Party spirit in the matter. I will venture to say this only—that if Party spirit counts for anything in the division about to take place, it will, at least, weigh as much on one side of the House as the other, and that just as many Members who dislike the Bill in their hearts will vote for it on Party grounds as there will be Members on the other side who, having doubts about the rejection of the measure, will vote for its rejection on Party grounds. There never was a question on which, I think, it was less worthy of the Government and their supporters to bring forward charges of Party action, and for this reason—that it has been elevated above the range of Party action by what has gone before. The majorities we have obtained from time to time have not been obtained from this side of the House. We were powerless, of ourselves, to gain those majorities; but they have been gained by the support of hon. Gentlemen sitting on that side, who have instinctively felt this to be a question of such great magnitude, with such interests involved, and such responsibilities carried with it, that they were obliged to lay aside all Party considerations and take the course they did take. Now, Sir, I should prefer being allowed for a few minutes to inquire what the nature and objects of this measure are, and what are the grounds on which it is proposed, and the effects which will follow from its adoption if the House adopts it. With regard to the nature and objects of the Bill, the circumstances of the case are these—There is an Oath imposed by Statute on all Members of Parliament, except upon Members of certain religious denominations—Quakers, Moravians, and others who are exempted, not because they have any doubt of the solemnity of the Oath, or any doubt whatever of the providence of God, to whom we appeal when taking the Oath; but, on the contrary, because they are very sensitive about these matters, because they expressly and warmly recognize the presence of the Almighty, and, feeling scrupulous about some of His Commands, they believe that they ought not to take the Oath. The Affirmation, as taken by them—taken as members of the particular religious community to which they belong, instead of the Oath—is in itself fully equivalent to the Oath, and their position strengthens our case rather than weakens it. We are told that the Oath was not imposed as a religious test. Of course, it was not imposed as a religious test; but that, again, only strengthens our case. The object of the Oath was to ascertain that Members gave their allegiance to the Sovereign; but it was not intended as a religious test, simply because nobody in those days supposed that there could be any doubt whatever as to the fundamental religious doctrine implied in it. But the calling upon a Member who takes the Oath to affirm that what he does is done in the presence of God is significant of the fact that the united Parliament and the nation recognize, at all events, the presence and authority of a Supreme Being in their proceedings. But what is the new proposal? The proposal is, that we should do away with the necessity of the Oath itself—not that we should abolish the Oath, but that we should do away with the necessity for taking it, and allow anyone to make an Affirmation who chooses. Is the Affirmation thus to be made to be equivalent to the Affirmation made by Quakers and Moravians? If it is, then it is equivalent to the Oath, and no advantage will be given to those who may make it, and who may wish to go under it. But, if it is not, you are making a most serious change by waiving the recognition of the Deity. Now, it has been said—"What does this signify? What are you getting rid of? You are getting rid, we are told, of a test of Theism." I do not altogether admit the accuracy of that expression—at all events, with the explanation given of it. How did the right hon. Gentleman the First Lord of the Treasury meet that case? He said—"If you have merely a test of Theism imposed upon you, let us see what your test amounts to, and whether it is rational or not." The Prime Minister went on to quote those magnificent lines from Lucretius, the effect of which was extremely fine and impressive, like the speech of the right hon. Gentleman himself; but when we got over the first impression produced by that speech and by those noble verses, we began to think—"What does it all mean?" I am bound to say an examination of the arguments contained in that speech materially lessened, in my mind at all events, the effect produced by the speech itself. What was the reason those verses from Lucretius were quoted? The right hon. Gentleman said, in effect — "Your test of Theism is an irrational test, because by Theism you mean the existence of a God, and there may still be many persons belonging to schools like that of Epicurus, or that of the poet Lucretius, who acknowledge the existence of a God, but who do not acknowledge any providential interest or interposition in the affairs of men; and it is only those who do acknowledge such providential care whom you ought to aim at." This is really what the right hon. Gentleman meant in quoting these lines. But the lines, in fact, are another illustration of what we are often told—that religion ought to have nothing to do with politics. They were intended to express an opinion, not that there is no Divine Being, but that the Divine Being takes no interest in the affairs of men. But that is not applicable to the question of the Oath; because, if the Oath is a test of anything, it is a test of a man's belief that there is a Supreme Being to whom he appeals, who will punish him if he says that which is false, and whom he dare not invoke unless he is telling the truth. We are now asked, by passing this Bill, to divorce religion from politics; and here let me ask the House to consider what would be the real effect of that. It is all very well, as the Solicitor General said to-day in his able speech—it is all very well to say, apparently as an afterthought, that the Affirmation may be taken to apply to the case of persons who have tender consciences, like Quakers and Moravians, but who do not belong to any religious denominations. But we know perfectly well that that is not the intention of the proposal. The hon. Member for Berkshire (Mr. Walter), or some other hon. Member, said that if we were to ask the people out-of-doors what this Bill means, 99 out of 100 would tell us that it means the abolition or the dispensing with any recognition of the name or providence of God. It may be all very well to say that people out-of-doors take a loose and wrong view of the effect of this legislation. I will not ask whether they do so or not; but what I do say is that you are doing a most serious thing if, with a knowledge of the impression that your legislation will produce upon 99 out of every 100 persons out-of-doors, and knowing that that is the impression it will produce, you are prepared to produce it. Do not suppose for a moment that the effect of your vote and decision will be limited to this country. The effect that will be produced by the public announcement that the Parliament of the United Kingdom of Great Britain and Ireland is prepared to strike out the name of Almighty God from its proceedings will, however incorrect and exaggerated it may be, produce the most serious consequences and effects. I must apologize to the House, at such a late hour of the night as this, for attempting to read anything; but a remarkable letter was put into my hands a little while ago, and I cannot help asking the House to hear a few sentences from it. It is written by a gentleman whose name I will not read; but I can give it privately to any hon. Member. The letter is from a gentleman who has been for several years a Professor in a great Mahomedan College in India. [*Cries of* "Oh!"] Hon. Members opposite are impatient of any reference to India; but I will just read a few sentences from the letter, as the writer says that he sincerely hopes, before the conclusion of this long debate upon the Bradlaugh controversy, some Gentleman connected with India will rise and protest against the views of this matter attributed to Mahomedans by the Attorney General (Sir Henry James) in his opening speech. His mention of Mahomed seemed to him to be a gratuitous insult to them. He had no hesitation in asserting that among no class of people was the name of God held in greater veneration than among Mahomedans. The writer goes on to point out the mischief which is being done in India by the increased circulation of the works of the Bradlaughites. He also points out that Atheism is undoubtedly spreading in India, and that it constitutes one of the most serious dangers to that country. Then the writer adds this sentence, to which I wish to call the particular attention of the House—

> "Hitherto the knowledge that the opinions of Mr. Bradlaugh are not those of the people and Parliament of England has undoubtedly acted as a check upon the spread of these pernicious doctrines; but what reasonable man can doubt the terrible effect that will be produced by the news that the House of Commons has now formally ranged itself on the side of Mr. Bradlaugh?"

[*Cries of* "Oh!"] The House seems surprised at this. Let me for a moment ask you to consider what are the grounds for the proposal that is made in this Bill. You cannot gather them from the Preamble of the Bill, which is extremely concise; but what grounds do we find stated in the speeches of those who have introduced the measure, and especially in the speeches of the Prime Minister and the Attorney General? I believe I am right in saying that the grounds upon which they have rested their case are threefold. In the first place, they rest it upon the rights of the constituencies; in the second place, upon the principles of civil and religious freedom; and, in the third place, they say it will have the advantage of closing the Bradlaugh controversy. These are the substance of the reasons given by the right hon. Gentleman the Prime Minister and the Attorney General. When we come to examine these reasons I think it is evident that what I have said is not at all away from the point under our consideration. Now, Sir, with regard to the rights of constituencies, it is contended—and truly contended—that a constituency has a right to elect any man not disqualified. All I will say is that there is a corresponding right on the part of Parliament to disqualify anyone who ought, in the opinion of Parliament, to be disqualified. And if Parliament has disqualified a man on any ground whatever, then the constituency, if it is aware of the fact, has no right to complain of any injustice in the application of that disqualification. Then, what are the disqualifications which you have imposed directly by Statute? There are many directly imposed by Statute. The Attorney General has mentioned several of them; but, over and above these disqualifications in which he tells us there is no religious test, Parliament imposes certain conditions which are subsequent to election, but are necessarily precedent to a man taking his seat. The constituency knows that the refusal, or the inability of the Member elected by them to comply with any of these conditions precedent, is just as much a disqualification as if he were a Peer, or a clergyman of the Church of England, or otherwise disqualified by law. Well, that is so; and that that condition, or the absence of the fulfilment of the condition, is a disqualification absolutely imposed by law, is proved not by our contention, but by the decisions of the Courts of Law themselves. Well, then, if that is the case, what is it that you contend for when you speak of the constituencies? Do you carry your contention to the point that a single constituency is to be able to override all the constituencies of England? Do you contend that a single constituency is to settle, by its action, so grave and important a question as this? You have talked of the Clare Election; but that was not a case in point, because the Clare Election was only an incident in a long and protracted controversy which had been going on for years, which was fought in one direction or another, and at last culminated in the return of Mr. O'Connell for the County of Clare, which election was, after all, declared void, and was not allowed to have effect. But that was the decision come to at the end of a long controversy, in the course of which the constituents had been fully made aware of the nature of the issue before them. This Bill is brought in at the beginning of a controversy; and, in my opinion, it is a question on which the constituencies of the country ought to be consulted, before a decision is arrived at to change, on so grave and important a point, the Constitution of the Kingdom. I contend that if you are so ready to give effect to the wishes of a single constituency, you ought to have some corresponding regard to the mass of Petitions which are thrown upon the Table day by day, and which show, at all events, what the real feelings of the large majority who have addressed Parliament on the subject are. The right hon. Gentleman the Prime Minister himself, in his speech the other day, lectured us—and I think I may take some part of the lecture as particularly and personally addressed to myself—judging from the manner and action of the right hon. Gentleman—he lectured us on the duty of not encouraging a spirit of religious excitement amongst the people; and he said that upon this question people were apt to be led astray, and that it was the duty of the Leaders of Parties to restrain and regulate the feeling of excitement. Now, I do not know whether the right hon. Gentleman is a great authority upon restraining the feeling and excitement of the people where other questions are concerned. There are other questions, which are not religious questions, in regard to which the impulse of the masses may truly be wrong; and I gather from the right hon. Gentleman that in his view it is the duty of Leaders of Parties to restrain those who may be thus agitated and led away, rather than to encourage and inflame and irritate them. I entirely recognize the soundness of the advice given by the right hon. Gentleman; and if I were aware that the people of this country were going wrong or being led astray on this question, I should feel it my duty to do my part in endeavouring to disabuse their minds and to restrain and direct them aright. But when I think that they are right—when I think that the instinct of the people is one that ought to be respected—I cannot see why we ought to be called upon to regulate and repress it. We have been told that we ought to have no religious test for political purposes; we have been told that another reason for the introduction of this Bill is that it is necessary to give effect to the principle of civil and religious freedom. Yes; religious freedom! But that does not mean freedom from religion. When we are told we ought not to have a religious test for political objects, I cannot help feeling what that means. What is meant by religious tests and political objects? If by political objects you mean measures which are of importance to the body politic, nothing can be of greater importance than that such measures should be in accordance with religion and morality; and there cannot be anything like the importance to the body politic of retaining, in the Oath imposed upon Members in this House, a recognition of the presence of the Almighty. When we talk about civil freedom, I would venture to ask right hon. and hon. Gentlemen opposite on what foundation that civil freedom rests? Does it not rest upon the strength of the religious character of the people? If you do away with the great laws which hitherto have enabled this country to maintain her freedom without degenerating into licence or licentiousness, you must, I apprehend, stand by the foundation on which that glorious fabric has been built. Recollect the examples furnished by countries which have cast aside the religious faith which had formed the basis of their laws. Recollect the condition of revolutionary France. Do you believe that the effect of the abolition of every trace of religion by revolutionary France has conduced to civil freedom? Remember the noble lines—

> "The sensual and the base rebel in vain,
> Slaves by their own compulsion; in mad game
> They burst their manacles, and wear the name
> Of Freedom, graven on a heavier chain."

That was the character of the French Revolution, which began by throwing aside all restraints of religion; and that is what we should bear in mind when we are asked to consider the grave proposal of Her Majesty's Government. I need not say very much with regard to the third reason given for passing this Bill. It is said that by passing the Bill you will close the Bradlaugh controversy. It is not a topic on which I wish to dwell; but I am obliged to say that it is one remarkable feature in this proceeding that if you do pass the Bill it will of necessity give an air of personal triumph to Mr. Bradlaugh. Sir, I make that observation in no spirit of jealousy or irritation, or with any feeling of a minor or petty kind; but I desire to point out that the effect on the country of giving a personal triumph to Mr. Bradlaugh must necessarily be of a very serious character. I ask the House to consider the effect of passing the measure from the point of view of the people of this country, and I say it will be to discourage the religious majority, and, at the same time, to encourage the Atheistic minority. It will give to that minority the appearance, at all events, of having the weight of Parliament thrown into their scale, while the majority will be sadly discouraged by a vote of this kind—given, too, at the instance of men themselves religious, and urged in the sacred name of religious liberty. I do not venture to foretell what may be the fate of the Bill; I do not know what may be the course of the House to-night, or what may be its course on future occasions, if this matter should come before us again at a later stage. But although I am aware that we ought now to address ourselves to the consideration of the question of the second reading of the Bill in no Party spirit—we must get rid of that—but in a spirit of earnest appreciation of the greatness of the interests involved, I venture to appeal to those who acknowledge the great value of the recognition of the Divine authority, and the fear of the Almighty Being to whom we have been in the habit of appealing; and I ask them to consider well before we pass a measure which, as far as I can see, will do no good, but which, in my judgment, will produce an impression of a most fatal and disastrous character. We stand on the ground which has been won for us by our ancestors, not without peril, not without conflict, not without danger; not, perhaps, without some errors; but we stand on that ground, and we are bound to maintain it as long as we can against aggression; and if we are unsuccessful in resisting that aggression, we shall have, at least, the satisfaction of having done our duty.

THE MARQUESS OF **HARTINGTON**: Sir, the House has listened, as it always does, with interest and attention throughout the whole speech of the right hon. Gentleman; but I am bound to say that, speaking, at all events, for those on this side of the House, I think the parts of that speech to which we listened with most interest and curiosity were the observations of the right hon. Gentleman in which he explained, or attempted to explain, what appeared to us to be a change in the attitude originally taken by him with reference to legislation on this matter. I cannot deny that, to us, at all events, it does appear that there has been a great and marked change in the attitude of the right hon. Gentleman. The right hon. Gentleman has given us now to understand that when he suggested, two years ago, that legislation was the only way in which this question could be dealt with, he not only did not pledge himself to support such legislation, but, as I gather from his speech now, he rather intimated that even legislation would meet with his opposition. But that, unfortunately, was not the impression which the right hon. Gentleman conveyed to this side of the House on one occasion, and, as I gather, to a good many hon. Gentlemen on the opposite Benches. [*Cries of* "No!"] I will not say all, but I say a good many. The right hon. Gentleman read an extract from one of the speeches which he had delivered; but he must remember that he has delivered a number of speeches in the course of this controversy, and I think there are others which, if I were able now to refer to them, would show a still more favourable frame of mind with reference to legislation than that to which he has referred. I remember he said once that he admitted the difficult and painful character of this question, and that he would be willing to do all in his power to bring it to a settlement. We know the right hon. Gentleman will not allow it to be settled by permitting Mr. Bradlaugh to affirm under the present law; we know he will not permit him to take the Oath under the present law; we know now that he will oppose legislation which would enable him, or others in his position, to affirm; and, therefore, I think we are entitled to ask the right hon. Gentleman that which we certainly have not learnt from the speech he has just delivered—namely, what is the contribution he is prepared to make now to the settlement of this question? I am glad this debate is now approaching its conclusion. It has been, to a great extent, of a theological character; and I think that, so far as the discussion has been of that character, it has lacked that charity which ought, but generally does not, distinguish theological controversy. I am not surprised that renewed attempts have been made to identify the Liberal Party with the cause of the hon. Member for Northampton. I can well understand the object of those attempts. It is scarcely necessary that I should say, for the satisfaction of those who sit on this side of the House, that we have no sympathy with any of the opinions or any of the teachings which have made Mr. Bradlaugh notorious. I can understand, as I said before, those attempts having been made; but, notwithstanding that, I think that when charges of the kind, which it must be known are charges of an odious description, are attempted to be fastened on a Party, they ought to be made with some circumspection and great caution. I regret to say that in this instance that caution has not been observed. The right hon. Gentleman the Member for South - West Lancashire (Sir R. Assheton Cross), in moving the Amendment to the Motion for the second reading of the Bill, is reported to have said that the object of the Liberal Party has been throughout to place Mr. Bradlaugh in this House as Member for Northampton, and that Mr. Bradlaugh had been invited to stand for that borough by the late Mr. Adam, when Whip of the Liberal Party. Now, as a matter of fact, Mr. Bradlaugh was never invited by Mr. Adam to stand for Northampton at all. He stood for that borough for the first time in 1868, and again in 1874, when Mr. Adam had nothing whatever to do with the elections. In 1880 Mr. Bradlaugh established himself as a candidate accepted by a large portion of the constituency, and certainly without any invitation to stand from Mr. Adam. I do not think that is a matter of great importance; but I think the right hon. Gentleman might remember that the statement that Mr. Adam had taken a prominent part in inviting an avowed Atheist to stand for a constituency is one which would be painful to many of the late Mr. Adam's friends, and one which he ought to have been most careful to investigate before making.

MR. STANLEY LEIGHTON: What about Mr. Wright? Mr. Adam was known to Mr. Wright. ["Order!"]

THE MARQUESS OF HARTINGTON: I cannot catch what the hon. Member says. I think I hear the name of Mr. Wright; but I am perfectly ignorant with regard to any action of his in this matter. Again, it has been stated this evening by many hon. Members that the Government are subjecting their conscientious opinions to political partizanship. In my opinion, that is scarcely the language of political argument; it appears to me to be rather the language of political partizanship and abuse; and I think that a statement of that sort ought not to have been made unless the hon. Member who made it had some authority for so doing. We know perfectly well that the association, in any degree, of the cause of Mr. Bradlaugh with a political Party can do that Party nothing but harm; and when we are engaged in the discussion of questions of justice and policy, it is more than ever necessary to guard against feelings or passions which may lead us astray, and which may blind us to the absolute necessity of the one and to the expediency of the other. It would be very easy to show how far feelings of partizanship have actuated some Members on the other side of the House. The right hon. Gentleman the Member for the University of Oxford (Sir John R. Mowbray), who spoke, I admit, with great moderation, accuses the hon. and learned Member for Limerick (Mr. O'Shaughnessy) of inconsistency, because he said that although he was going to vote for this Bill, and the admission of Mr. Bradlaugh to the House should he be again elected, yet that if he were an elector of Northampton he should vote against him. But there would be no inconsistency in such a course; and therefore, as far as I am aware, the hon. and learned Member for Limerick is entitled to vote for this measure. The right hon. Gentleman quoted some authority with reference to the principle of the Bill; but, in my opinion, this is not a question to be settled by authority, and I think it is to be regretted that the right hon. Gentleman thought it worth while to follow the example of an hon. and gallant Member who spoke earlier in this debate, and who sent telegrams to various religious authorities all over the world in order to obtain their opinions in condemnation of this measure. The right hon. Baronet the Member for North Devon read to us the opinion of a Mahomedan. ["No!"] Hon. Members say "No;" then it was the opinion of an English Professor of a Mahomedan College.

SIR STAFFORD NORTHCOTE: It was sent by him spontaneously; it was not asked for.

THE MARQUESS OF HARTINGTON: I think the letter would have had more weight with me if it had expressed the opinion of a Mahomedan. We know that opinion on this question is divided amongst English Professors, and I do not attach great weight to the opinion of one particular Professor. The right hon. Gentleman must know that the profession of any religious opinions, or the absence of any religious principles, is no bar or disqualification to the obtaining of any office which is open to the Natives of India; and I think the right hon. Gentleman will hardly persuade this House that the passing of this Bill would produce any impression on the minds of the people of India when they know that the Government of India attaches no importance whatever to religious opinion in the matter I have referred to. It has been assumed throughout as a conclusive argument against the Bill that it has been called a Bradlaugh Relief Bill. Sir, I altogether deny that that is its proper title; but I admit that the action of the electors of Northampton and the proceedings of Mr. Bradlaugh in the assertion of what seems to him to be the assertion of his own right and the right of his constituents have been the immediate cause of raising this question. But it does not follow, putting aside the case of Mr. Bradlaugh, that the question having been raised ought not to be settled. I cannot say I speak with such absolute indifference of the rights of Mr. Bradlaugh and the electors of Northampton as some hon. Members have shown with regard to them. It appears to me a grave matter that a man who has been legally elected by a constituency, and who is willing to do all that the law requires him to do, should, by a Resolution of the House of Commons, be disqualified from representing that constituency. It appears to me that such a proceeding on the part of the House of Commons would be a dangerous Constitutional expedient, and might lead to great evil. Nor do I think that it is a matter of indifference that the House should be relieved from the embarrassment, and, I may add, the discredit in which it finds itself in the contest which has been waged with Mr. Bradlaugh in this matter. I do not think that the position which the House of Commons occupies is a dignified one. Hitherto it has been content to assume an attitude of passive resistance against the introduction of a man whom it will not admit, but whom, at the same time, it shrinks from punishing. Either Mr. Bradlaugh has been elected Member for Northampton, or he is nothing but a brawler disturbing our proceedings, and ought to be, in that case, committed for contempt. [*Opposition cheers.*] Hon. Gentlemen opposite cheer that remark; but they are not prepared to commit Mr. Bradlaugh. It must be remembered that once Mr. Bradlaugh was committed on the Motion of the right hon. Gentleman the Leader of the Opposition; but, after reflection, the right hon. Gentleman came down to the House next day and proposed that Mr. Bradlaugh should be released. In my opinion, altogether above and beyond any questions affecting anything so insignificant as Mr. Bradlaugh and his opinions, above the rights of the electors of Northampton, and of every constituency, and notwithstanding the denial of the right hon. Gentleman, this is a question of civil disability. I know this is denied, and perhaps the House will permit me to state the grounds of my opinion. Sir Erskine May, in his *Constitutional History of England*, uses words in making use of which I may express my opinion more clearly. In summing up the history of the gradual relaxation of the Penal Code Sir Erskine May says—

> "The Penal Code, with all its anomalies and consistencies, admitted of a simple division. One part imposed restraints on religious worship; the other attached civil disabilities to faith and doctrine."

With the first part we have now nothing to do; but with the doctrines of civil disabilities we have still to do. Again, he says—

> "And the temper of Parliament and the country was still so unsettled in regard to the doctrines of religious liberty, that the labour of revision proceeded with no more system than the original Code. First one grievance was redressed, and then another; but Parliament continued to shrink from the broad assertion of religious liberty as the right of British subjects and the policy of the State."

My contention is that Parliament is still shrinking from that position, and that the principle upon which it is now maintained, that the avowed Atheist is to be excluded from this House, is the same on which Roman Catholics and Jews were excluded. ["No, no!"] I know it has been argued, over and over again, that there is no resemblance between these cases; but it is, in my opinion, utterly irrelevant to say that they cannot be compared together. We have nothing whatever to do with the truth of the doctrines of the Roman Catholic, or the Jew, or the Atheist; we have nothing whatever to do with the question of whether the one is tolerable and the other intolerable to our own religious feelings; what we have to do with is the principle on which the professors of these opinions were excluded, and on which the professors of another set of opinions are now sought to be excluded. In the case of the Catholics the principle urged was danger to the State and danger to the Protestant Constitution; in the case of the Jews the principle urged was danger to the Christianity of the country; the principle now urged is danger to the religious character of the State. The arguments for the exclusion of these opinions are the same, and so are our arguments for the admission of the people holding the views in question to the House. It was not because Parliament held less strongly its opinion as to the errors of Roman Catholicism that Roman Catholics were admitted to this House; it was not because Parliament held less strongly the cardinal dogma of Christianity that Jews were admitted; and so, now, it is not because we hold less firmly a belief in a Supreme Being that we advocate the removal of the obstacles which exclude even Atheists from this House. I know that a distinction is sought to be drawn between the position of those who deny all religion, and that of those who profess some religious opinions. My right hon. Friend the Prime Minister grappled with that argument; and he showed, first, the narrow grounds which such an argument left for the assertion by the State of a religious character at all; and, secondly, how disparaging such a theory was to Christianity in general. The hon. Member for Mid Lincolnshire (Mr. Chaplin) attempted, as I understood him, to answer that argument. He said that it was not Gentlemen opposite who were prepared to legislate at all in this matter, and then observed that if the arguments against the Bill were so weak, and if their contentions were so disparaging to Christianity, why had we not discovered it before—why had we not proposed to legislate before? My reply is, that the law does not and cannot provide for all possible cases. When this Oath was created by Statute, the case was not foreseen in which a Member whom the law would not permit to affirm should claim to be permitted to affirm. When the state of the law was disclosed, when it was decided by a Court of Law that a Member to whom, by reason of his want of belief in the existence of a Supreme Being, the Oath was a mere form, claimed to affirm on that ground, when it was proved that he could not be permitted to affirm in a manner most binding on his conscience, and that the only method of entrance into the House was by means of the Oath, which was to him an empty mockery, when all this was disclosed, at the earliest possible moment in 1881, we proposed to legislate in order to remove this abuse and this scandal. It was hon. Members opposite who prevented the introduction of a Bill. [An hon. MEMBER: Why did you not go on with the Bill?] It was not very easy to go on with a Bill which we were not allowed to introduce. Sir, I will not attempt to add anything to the arguments on this point used by my right hon. Friend the Prime Minister—all I would desire to add would be some proof that the arguments upon which the admission of the Jews to Parliament was contested were, practically, the same as the arguments relied upon in this case. I will give the House one quotation only, which I think will commend itself, at all events, to hon. Members opposite. Lord Lyndhurst, in a speech delivered on April 27, 1858, said—

> "But my noble and learned Friend goes to another argument, that you would 'unchristianize' the Legislature by introducing a few Jews into it—an old and favourite argument of those who opposed Bills of this description. When that argument was first used in this House it met with an entire and complete refutation from a most reverend Prelate, then a Member of this House — Archbishop Whately. How did he answer it? He asked, 'Is England a Christian country? You answer in the affirmative; but, though a Christian country, it does not consist exclusively of Christians: it is composed of Christians and a small number of Jews; but still you call it a Christian country. What is the constitution of Parliament? It represents the country. If it is to represent the country fairly, how can you for a moment contend that, if there were a small number of Jews in Parliament, therefore the Legislature would be unchristian?' To that no answer has ever been given. Allow me to go a little further. Are your Courts of Justice, are your Municipal Corporations Christian. . . . although Jews are members of them; nor that your tribunals are Christian, though Jews sit there? How, then, is it possible that the introduction of a few Jews can unchristianize the Legislature?"—(3 *Hansard*, [149] 1774-5.)

I maintain, Sir, that if in that argument you substitute the word "Secularize" for "un-Christianize" and "Atheist" for "Jew" that argument would be as good, as sound, and as unanswerable now as it then was. It is no question as to the relative merits and demerits of the different forms of belief and unbelief. The argument in the case of the Jews was that their admission would un-Christianize the Legislature; and now it is said that if Atheists are admitted it will Secularize the Legislature. Precisely the same argument is used now as was used then against the Jews. Reference has been made to the Petitions which have been presented against this Bill. Perhaps it would have been well if part of the time spent in this debate had been employed in an examination of the mode in which some of those Petitions have been got up. I will not go into that question now. But what I want to point out is that many of them go a great way beyond the rejection of the Bill. One from Northumberland prays that—

> "While recognizing, to the fullest extent, the legal right of admission to Parliament of all duly-elected Representatives who profess a belief in Almighty God, your Petitioners humbly submit that it is the duty of this nation to maintain unimpaired those religious principles on which the Constitution is founded, and to which this country owes its greatness; and that any legislation for the admission of Atheists to Parliament is at variance with those principles."

That goes a long way beyond the rejection of this Bill. The Petitioners would only admit to Parliament a duly-elected Member who professes a belief in Almighty God—in fact, they would require not only the rejection of the measure, but, like the hon. Member for Queen's County (Mr. Arthur O'Connor), an absolute test of belief in God for all Members as a qualification for a seat in the House. I have not the slightest doubt this is the real meaning of the vast majority of those who have signed these Petitions. It appears to me that this is the logical conclusion of a great many of the arguments that have been used against this Bill; and if you want to be guided by the opinion of these Petitioners, you are driven to take the logical course proposed by Lord Redesdale in the other House, and by the hon. Member for Queen's County to-night — namely, to impose a test of a belief in some Divinity. Would such legislation be accepted by the country? I do not profess to know the religious feeling of the country; but I do not believe that such legislation would be accepted, because, although it might be in accordance with the feelings of many honest and conscientious men, its effect would be that other creeds would find themselves in danger, and that other tests would before long be imposed. However this may be, I am of opinion that the present application to this Oath, as a sort of accidental test, is one which is not only unreasonable and inconsistent, but also absurd. It is admitted that the Oath does not enable you to exclude anyone who in this House makes a profession of religious belief. A man may say what he likes out-of-doors, and avow himself through every channel of publicity to be an Atheist; but if he comes to this Table, and if he accepts the Oath without making any protest, you cannot exclude him from the House. You may have two men standing together at the Bar; one may have given every notice it was possibe for him to give out of this House that he was an unbeliever, and the other who may have never said anything offensive to the religious opinions or convictions of any man, but who may feel it to be his bounden duty, before he came to the Table, to give notice that the words of the Oath, in his opinion, have no definite meaning. Of these two men occupying this position you are bound, under the present state of the law, to permit the one who openly blasphemes your religion to take his seat, while you reject the other. Can it be pretended for one moment that the religious character of this House, of this country, and of this Government, is to be preserved by such an absurd—such a ridiculous arrangement as that? And we are told that honour is done to Heaven by the observance of such forms. [Mr. NEWDEGATE: In our corporate capacity.] By such forms, it appears to me, we are guilty of something worse than inconsistency—of nothing less than profanity. The right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) told us the other day that it was not wise to outrun public opinion. As I have said, I have some doubt whether public opinion has expressed itself as on the same side as the right hon. and learned Gentleman; but, no doubt, if he is right, the sentiment which he has expressed may be politic, but it is not a very heroic sentiment. It would enable him to assent to every act of political persecution. I have no doubt public opinion supported the persecution of the early Christians. I have no doubt public opinion at the time supported the persecution of the Protestants by the Roman Catholics, and the Roman Catholics by the Protestants; and, no doubt, by prudently waiting on public opinion, politicians of these times may, like the politicians of those times, reap some advantage. The question has to be asked, as the right hon. Member for Ripon (Mr. Goschen) has asked, Has the cause of religion gained? Has the cause of any sect gained? It may give a little advantage to the Opposition to associate their cause, or to attempt to associate their cause, with the name of religion, and to associate the cause of the Government with the name of irreligion; but we are content to run the risk, believing, as we do, that by the legislation we propose we are doing something to preserve sacred words from profanation, to preserve religion from the degrading contact of Party politics, and that we are holding fast to those principles of liberty of conscience which have been contended for in times past by the wisest, the noblest, and not the least pious men of our country.

Question put.

The House *divided:*—Ayes 289; Noes 292: Majority 3.

## AYES.

Acland, Sir T. D.
Acland, C. T. D.
Agnew, W.
Ainsworth, D.
Allen, H. G.
Allen, W. S.
Amory, Sir J. H.
Anderson, G.
Armitage, B.
Armitstead, G.
Arnold, A.
Asher, A.
Ashley, hon. E. M.
Baldwin, E.
Balfour, Sir G.
Balfour, rt. hon. J. B.
Balfour, J. S.
Barclay, J. W.
Baring, Viscount
Barnes, A.
Barran, J.
Bass, Sir A.
Bass, H.
Baxter, rt. hon. W. E.
Beaumont, W. B.
Biddulph, M.
Bolton, J. C.
Borlase, W. C.
Brand, H. R.
Brassey, Sir T.
Brett, R. B.
Briggs, W. E.
Bright, rt. hon. J.
Bright, J. (Manchester)
Brinton, J.
Broadhurst, H.
Brogden, A.
Brown, A. H.
Bruce, rt. hon. Lord C.
Bruce, hon. R. P.
Bryce, J.
Buchanan, T. R.
Burt, T.
Buszard, M. C.
Buxton, F. W.
Caine, W. S.
Cameron, C.
Campbell, Lord C.
Campbell, R. F. F.
Campbell-Bannerman, H.
Carbutt, E. H.
Carington, hon. R.
Cartwright, W. C.
Causton, R. K.
Cavendish, Lord E.
Chamberlain, rt. hn. J.
Chambers, Sir T.
Cheetham, J. F.
Childers, rt. hn. H.C.E.
Clarke, J. C.
Clifford, C. C.
Cohen, A.
Colebrooke, Sir T. E.
Collings, J.
Colman, J. J.
Cotes, C. C.
Courtauld, G.
Courtney, L. H.
Cowen, J.
Cowper, hon. H. F.
Craig, W. Y.
Creyke, R.
Cropper, J.
Cross, J. K.
Crum, A.
Cunliffe, Sir R. A.
Currie, Sir D.
Davey, H.
Davies, D.
Davies, R.
Davies, W.
De Ferrières, Baron
Dilke, rt. hn. Sir C. W.
Dillwyn, L. L.
Dodds, J.
Dodson, rt. hon. J. G.
Duckham, T.
Duff, R. W.
Dundas, hon. J. C.
Ebrington, Viscount
Edwards, H.
Edwards, P.
Egerton, Adm. hon. F.
Elliot, hon. A. R. D.
Evans, T. W.
Fairbairn, Sir A.
Farquharson, Dr. R.
Fawcett, rt. hon. H.
Ferguson, R.
Ffolkes, Sir W. H. B.
Firth, J. F. B.
Fitzmaurice, Lord E.
Flower, C.
Foljambe, C. G. S.
Foljambe, F. J. S.
Forster, Sir C.
Forster, rt. hon. W. E.
Fort, R.
Fowler, H. H.
Fowler, W.
Fry, L.
Fry, T.
Gladstone, rt. hn. W.E.
Gladstone, H. J.
Gladstone, W. H.
Glyn, hon. S. C.
Gordon, Lord D.
Gordon, Sir A.
Goschen, rt. hon. G. J.
Gourley, E. T.
Gower, hon. E. F. L.
Grafton, F. W.
Grant, Sir G. M.
Grant, A.
Grant, D.
Grey, A. H. G.
Gurdon, R. T.
Hamilton, J. G. C.
Harcourt, rt. hon. Sir W. G. V. V.
Hardcastle, J. A.
Hartington, Marq. of
Hastings, G. W.
Hayter, Sir A. D.
Henderson, F.
Heneage, E.
Herschell, Sir F.
Hibbert, J. T.
Hill, T. R.
Holden, I.
Hollond, J. R.
Holms, J.
Hopwood, C. H.
Howard, E. S.
Howard, G. J.
Howard, J.
Illingworth, A.
Inderwick, F. A.
James, Sir H.
James, C.
James, W. H.
Jardine, R.
Jenkins, Sir J. J.
Jenkins, D. J.
Johnson, E.
Kingscote, Col. R.N.F.
Labouchere, H.
Laing, S.
Lambton, hon. F. W.
Lawrence, Sir J. C.
Lawson, Sir W.
Leake, R.
Leatham, E. A.
Leatham, W. H.
Lee, H.
Leeman, J. J.
Lefevre, rt. hn. G. J. S.
Lloyd, M.
Lubbock, Sir J.
Lusk, Sir A.
Lymington, Viscount
M'Arthur, A.
M'Intyre, Æneas J.
Mackie, R. B.
Mackintosh, C. F.
M'Lagan, P.
M'Laren, C. B. B.
Macliver, P. S.
M'Minnies, J. G.
Maitland, W. F.
Mappin, F. T.
Marjoribanks, E.
Marriott, W. T.
Martin, R. B.
Maskelyne, M.H.Story-
Mason, H.
Matheson, Sir A.
Maxwell-Heron, Capt. J.
Mellor, J. W.
Milbank, Sir F. A.
Monk, C. J.
Moreton, Lord
Morgan, rt. hn. G. O.
Morley, A.
Morley, J.
Mundella, rt. hon. A. J.
Noel, E.
Norwood, C. M.
O'Donoghue, The
O'Shaughnessy, R.
Otway, Sir A. J.
Paget, T. T.
Palmer, C. M.
Palmer, G.
Palmer, J. H.
Parker, C. S.
Pease, Sir J. W.
Pease, A.
Peddie, J. D.
Peel, A. W.
Pender, J.
Pennington, F.
Philips, R. N.
Playfair, rt. hn. Sir L.
Portman, hn. W. H. B.
Potter, T. B.
Powell, W. R. H.
Price, Sir R. G.
Pulley, J.
Ralli, P.
Ramsay, J.
Ramsden, Sir J.
Rathbone, W.
Reed, Sir E. J.
Reid, R. T.
Rendel, S.
Richard, H.
Richardson, T.
Roberts, J.
Robertson, H.
Rogers, J. E. T.
Rothschild, Sir N.M.de
Roundell, C. S.
Russell, Lord A.
Russell, G. W. E.
Rylands, P.
St. Aubyn, Sir J.
Samuelson, B.
Samuelson, H.
Seely, C. (Lincoln)
Seely, C. (Nottingham)
Sellar, A. C.
Shaw, T.
Sheridan, H. B.
Shield, H.
Simon, Serjeant J.
Sinclair, Sir J. G. T.
Slagg, J.
Smith, E.
Smith, Lt.-Col. G.
Smith, S.
Spencer, hon. C. R.
Stanley, hon. E. L.
Stansfeld, rt. hon. J.
Stanton, W. J.
Stevenson, J. C.
Stewart, J.
Storey, S.
Summers, W.
Talbot, C. R. M.
Tavistock, Marquess of
Taylor, P. A.
Tennant, C.
Thomasson, J. P.
Thompson, T. C.
Tillett, J. H.
Tracy, hon. F. S. A. Hanbury-
Trevelyan, rt. hn. G. O.
Villiers, rt. hon. C. P.
Vivian, Sir H. H.
Vivian, A. P.
Waddy, S. D.
Walter, J.
Waterlow, Sir S. H.
Waugh, E.
Webster, J.
Whitbread, S.
Whitworth, B.
Wiggin, H.
Williams, S. C. E.
Williamson, S.
Willis, W.
Wills, W. H.
Willyams, E. W. B.
Wilson, Sir M.

[*Fifth Night.*]

Wilson, C. H.
Wilson, I.
Wodehouse, E. R.
Woodall, W.
Woolf, S.

TELLERS.
Grosvenor, Lord R.
Kensington, Lord

## NOES.

Alexander, Colonel C.
Allsopp, C.
Amherst, W. A. T.
Archdale, W. H.
Ashmead-Bartlett, E.
Aylmer, J. E. F.
Bailey, Sir J. R.
Balfour, A. J.
Baring, T. C.
Barne, Col. F. St. J. N.
Barry, J.
Barttelot, Sir W. B.
Bateson, Sir T.
Beach, rt. hn. Sir M. H.
Beach, W. W. B.
Bective, Earl of
Bellingham, A. H.
Bentinck, rt. hn. G. C.
Bentinck, G. W. P.
Beresford, G. De la P.
Biddell, W.
Biggar, J. G.
Birkbeck, E.
Blackburne, Col. J. I.
Blake, J. A.
Boord, T. W.
Bourke, rt. hon. R.
Brise, Colonel R.
Broadley, W. H. H.
Brodrick, hon. W. St. J. F.
Brooke, Lord
Brooks, M.
Brooks, W. C.
Bruce, Sir H. H.
Bruce, hon. T.
Brymer, W. E.
Bulwer, J. R.
Burghley, Lord
Burnaby, General E. S.
Burrell, Sir W. W.
Buxton, Sir R. J.
Byrne, G. M.
Callan, P.
Cameron, D.
Campbell, J. A.
Carden, Sir R. W.
Castlereagh, Viscount
Cecil, Lord E. H. B. G.
Chaine, J.
Chaplin, H.
Christie, W. L.
Churchill, Lord R.
Clarke, E.
Clive, Col. hon. G. W.
Cobbold, T. C.
Coddington, W.
Cole, Viscount
Collins, T.
Colthurst, Col. D. La T.
Compton, F.
Coope, O. E.
Corbet, W. J.
Corry, J. P.
Cotton, W. J. R.
Cross, rt. hon. Sir R. A.
Cubitt, rt. hon. G.
Dalrymple, C.
Daly, J.
Davenport, H. T.
Davenport, W. B.
Dawnay, Col. hn. L. P.
Dawnay, hon. G. C.
Dawson, C.
De Worms, Baron H.
Dickson, Major A. G.
Digby, Col. hon. E.
Dixon-Hartland, F. D.
Donaldson-Hudson, C.
Douglas, A. Akers-
Dyke, rt. hn. Sir W. H.
Ecroyd, W. F.
Egerton, hon. A. de T.
Egerton, hon. A. F.
Elcho, Lord
Elliot, Sir G.
Elliot, G. W.
Emlyn, Viscount
Ennis, Sir J.
Estcourt, G. S.
Ewart, W.
Ewing, A. O.
Fay, C. J.
Feilden, Lieut.-General R. J.
Fellowes, W. H.
Fenwick-Bisset, M.
Filmer, Sir E.
Finch, G. H.
Fitzwilliam, hon. C. W. W.
Fitzwilliam, hon. H. W.
Fitzwilliam, hon. W. J.
Fletcher, Sir H.
Floyer, J.
Folkestone, Viscount
Forester, C. T. W.
Foster, W. H.
Fowler, R. N.
Fremantle, hon. T. F.
French-Brewster, R. A. B.
Freshfield, C. K.
Galway, Viscount
Gardner, R. Richardson-
Garnier, J. C.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Giles, A.
Goldney, Sir G.
Gooch, Sir D.
Gore-Langton, W. S.
Gorst, J. E.
Grantham, W.
Gray, E. D.
Greene, E.
Greer, T.
Gregory, G. B.
Guest, M. J.
Halsey, T. F.
Hamilton, Lord C. J.
Hamilton, right hon. Lord G.
Hamilton, I. T.
Harcourt, E. W.
Harrington, T.
Harvey, Sir R. B.
Hay, rt. hon. Admiral Sir J. C. D.
Herbert, hon. S.
Hicks, E.
Hildyard, T. B. T.
Hill, Lord A. W.
Hill, A. S.
Hinchingbrook, Visc.
Holland, Sir H. T.
Home, Lt.-Col. D. M.
Hope, rt. hn. A. J. B. B.
Hubbard, rt. hon. J. G.
Jackson, W. L.
Jerningham, H. E. H.
Johnstone, Sir F.
Kennard, Col. E. H.
Kennard, C. J.
Kennaway, Sir J. H.
Kenny, M. J.
King-Harman, Colonel E. R.
Knight, F. W.
Knightley, Sir R.
Knowles, T.
Lacon, Sir E. H. K.
Lalor, R.
Lawrance, J. C.
Lawrence, Sir T.
Leahy, J.
Leamy, E.
Lechmere, Sir E. A. H.
Legh, W. J.
Leigh, R.
Leighton, Sir B.
Leighton, S.
Lennox, Lord H. G.
Lever, J. O.
Levett, T. J.
Lewis, C. E.
Lewisham, Viscount
Lindsay, Sir R. L.
Loder, R.
Long, W. H.
Lopes, Sir M.
Lowther, rt. hon. J.
Lowther, hon. W.
Lyons, R. D.
Macartney, J. W. E.
M‘Carthy, J.
M‘Coan, J. C.
Macfarlane, D. H.
M‘Garel-Hogg, Sir J.
Mac Iver, D.
M‘Kenna, Sir J. N.
Macnaghten, E.
Makins, Colonel W. T.
Manners, rt. hn. Ld. J.
March, Earl of
Martin, P.
Marum, E. M.
Master, T. W. C.
Maxwell, Sir H. E.
Mayne, T.
Metge, R. H.
Miles, Sir P. J. W.
Miles, C. W.
Mills, Sir C. H.
Molloy, B. C.
Monckton, F.
Moore, A.
Morgan, hon. F.
Moss, R.
Mowbray, rt. hon. Sir J. R.
Mulholland, J.
Murray, C. J.
Newdegate, C. N.
Newport, Viscount
Nicholson, W.
Nicholson, W. N.
Noel, rt. hon. G. J.
North, Colonel J. S.
Northcote, rt. hon. Sir S. H.
Northcote, H. S.
O'Beirne, Colonel F.
O'Brien, W.
O'Connor, A.
O'Connor, T. P.
O'Donnell, F. H.
O'Kelly, J.
Onslow, D. R.
O'Shea, W. H.
O'Sullivan, W. H.
Paget, R. H.
Parnell, C. S.
Patrick, R. W. Cochran-
Peek, Sir H.
Pell, A.
Pemberton, E. L.
Percy, Earl
Percy, Lord A.
Phipps, C. N. P.
Phipps, P.
Plunket, rt. hon. D. R.
Power, R.
Price, Captain G. E.
Puleston, J. H.
Raikes, rt. hon. H. C.
Rankin, J.
Rendlesham, Lord
Repton, G. W.
Ridley, Sir M. W.
Ritchie, C. T.
Rolls, J. A.
Ross, A. H.
Ross, C. C.
Round, J.
St. Aubyn, W. M.
Salt, T.
Sclater-Booth, rt. hn. G.
Scott, Lord H.
Scott, M. D.
Selwin-Ibbetson, Sir H. J.
Severne, J. E.
Sexton, T.
Shaw, W.
Sheil, E.
Smith, rt. hon. W. H.
Smith, A.
Smithwick, J. F.
Stanhope, hon. E.
Stanley, rt. hn. Col. F.
Stanley, E. J.
Storer, G.
Stuart, H. V.
Sullivan, T. D.
Sykes, C.

S
Talbot, J. G.
Thomson, H.
Thornhill, T.
Thynne, Lord H. F.
Tollemache, hn. W. F.
Tollemache, H. J.
Tomlinson, W. E. M.
Torrens, W. T. M'C.
Tottenham, A. L.
Tyler, Sir H. W.
Wallace, Sir R.
Walrond, Col. W. H.
Warburton, P. E.
Warton, C. N.
Watkin, Sir E. W.
Welby - Gregory, Sir W. E.
Whitley, E.
Williams, Gen. O.
Wilmot, Sir H.
Wilmot, Sir J. E.
Wolff, Sir H. D.
Wortley, C. B. Stuart-
Wroughton, P.
Wynn, Sir W. W.
Yorke, J. R.

TELLERS.
Crichton, Viscount
Winn, R.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

## CONSTABULARY AND POLICE (IRELAND) [PAY AND PENSIONS].

### RESOLUTION.

Resolution [May 1] *reported.*

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of an increase of Pay of certain members of the Royal Irish Constabulary, and the Dublin Metropolitan Police Forces, and of an increase in their Pensions, and of Pensions, Gratuities, and Allowances for their widows and children in certain cases; also the payment, in certain cases, of deputies for the Divisional Justices of the Dublin Metropolitan Police District; and that it is expedient to amend the Acts regulating the Constabulary and Police in Ireland."

Resolution *agreed to.*

MR. TREVELYAN said, that by the indulgence of the House he proposed to ask leave to introduce a Bill to amend the laws relating to the payment of salaries and pensions to the Royal Irish Constabulary and the Dublin Metropolitan Police, and for other purposes. He should be very unwilling, at a moment like this, to intrude a financial matter on the House; but the question was one of very great importance. Owing to circumstances into which it was unnecessary to enter now, the increase to the pay and pensions of the Royal Irish Constabulary had been deferred, not longer than was necessary, but still a very long time. [*Interruption.*] He was not anxious to press any observations at this stage of the Bill, upon an unwilling House; but it was very important that he should obtain leave to introduce the measure to-night. The subject could be thoroughly discussed on the second reading. The object of the Bill was to grant a considerable increase to the pay of the Royal Irish Constabulary, and very much to improve their pensions. Unless there was some very strong objection — which he scarcely thought there would be—he should be glad to pass the Bill through its first stage to-night.

Motion made, and Question proposed, "That a Bill be brought in upon the said Resolution."

MR. PARNELL said, he understood that no Notice of this Motion had been given by the right hon. Gentleman the Chief Secretary to the Lord Lieutenant, or, at any rate, he (Mr. Parnell) had been unable to find it in the Order Book. In any case, he thought the right hon. Gentleman would see that, after such a division as they had just had, and when the House was so much occupied with other considerations, it would not be fair in him to press his Motion with regard to this very important Bill upon the House. The House was in a very distracted condition; and, under the circumstances, he would move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Parnell.*)

MR. TREVELYAN said, that in carrying on the Business of the House it was necessary to make concessions on all sides. It was not correct, as was implied by the hon. Member for the City of Cork, that no Notice had been given of this Motion. On Wednesday last he (Mr. Trevelyan) had given very distinct Notice to the House that he should make a few observations on the subject, and introduce the Bill. That communication was made to the hon. Member for Sligo (Mr. Sexton) and his Friends. It was the regular custom in regard to Bills which contained money clauses that, directly after the preliminary Committee stage was taken, the Bill should be introduced. But he did not wish to take any advantage of hon. Members. If, at this time of night, hon. Members who were interested in the subject were not prepared for this statement which had been definitely promised in his name, on the understanding that hon. Members would allow the first stage to be taken to-morrow, at whatever hour the Bill was reached, he would not oppose the adjournment of the debate. He was anxious, in the interests of the Irish Constabulary, that no further time should be lost in dealing with this subject.

MR. LEWIS said, he hoped the suggestion of the right hon. Gentleman would be acceded to, as, no doubt, would all persons who were anxious for the proper administration of law and justice and protection of life and property in Ireland. The police of Ireland were deserving of the support of all persons who were interested in the administration of the affairs of the country.

MR. O'DONNELL: Will not the Government leave this Bill to the new Cabinet?

Motion *agreed to.*

Debate *adjourned* till *To-morrow.*

## *MOTIONS.*

### GAS AND WATER PROVISIONAL ORDERS (BILSTON GAS, &C.) BILL.

On Motion of Mr. JOHN HOLMS, Bill to confirm certain Provisional Orders made by the Board of Trade, under "The Gas and Water Works Facilities Act, 1870," relating to Bilston Gas, Broadstairs Gas, Calne Gas, Enfield Gas, Ferndale Gas, Saint Neot's Gas, Tadcaster and Wetherby District Gas, Swanage Gas and Water, and Ystrad Gas and Water, *ordered* to be brought in by Mr. JOHN HOLMS and Mr. CHAMBERLAIN.

Bill *presented,* and read the first time. [Bill 165.]

### GAS AND WATER PROVISIONAL ORDERS (NO. 2) (BLANDFORD DISTRICT WATER, &C.) BILL.

On Motion of Mr. JOHN HOLMS, Bill to confirm certain Provisional Orders made by the Board of Trade, under "The Gas and Water Works Facilities Act, 1870," relating to Blandford District Water, Farnborough District Water, Gosport Water, Herne Bay Water, Newmarket Water, Newport and Pillgwenlly Water, and Pontypridd Water, *ordered* to be brought in by Mr. JOHN HOLMS and Mr. CHAMBERLAIN.

Bill *presented,* and read the first time. [Bill 166.]

House adjourned at a quarter before Two o'clock.

# HOUSE OF LORDS,

### *Friday,* 4*th May,* 1883.

---

MINUTES.]—PUBLIC BILLS—*First Reading*—Medical Act (1858) Amendment * (52); Local Government Provisional Orders * (54).

*Committee* — Representative Peers (Scotland) (5-53).

*Committee — Report —* Isle of Man (Harbours) (50).

*Report—* Court of Chancery of Lancaster * (43).

*Third Reading*—Oyster and Mussel Fisheries Orders Confirmation * (33), and *passed.*

## REPRESENTATIVE PEERS (SCOTLAND) BILL.—(No. 5.)

(*The Lord Chancellor.*)

### COMMITTEE.

Order of the Day for the House to be put into Committee read.

THE LORD CHANCELLOR: My Lords, in the discussion on the second reading of this Bill, I stated to your Lordships that I would give respectful attention to all Amendments which might make it more acceptable to any noble Lords who had special interest in the subject. I am happy to inform your Lordships that I have been in communication with my noble and learned Friend the Lord Justice Clerk of Scotland, who presided over the Committee of 1882, and I hope that we have come to a substantial agreement as to those points that were thought of importance. I will state to your Lordships the particular modifications in the Bill to which I think I can properly assent, and I will then ask your Lordships to allow it to be passed *pro formâ* through Committee, and to be reprinted, with the Amendments which I propose to introduce. My desire has been to deal with this matter in a manner which would secure the greatest amount of concurrence and meet all reasonable suggestions on the part of noble Lords from Scotland. Some of the proposed modifications I have already given Notice of, and the only material one, I think I may say, is this. I have adopted that part of the Amendment of the noble Marquess (the Marquess of Huntly) which is founded on what fell from my noble and learned Friend (Lord Watson) on the second reading of the Bill—namely, that the power of reference to the Court of Session should not be quite so limited as I had proposed to make it. I had proposed that the Court might, if the Committee of Privileges thought fit, be consulted on matters of law, or for the purpose of taking evidence of facts. But my noble and learned Friend (Lord Watson) suggested that it would be better to leave it more wide, and to enable the Committee, in what it might think a proper case, to refer the Petition itself for consideration and report to the Court of Session, the House of Lords still reserving its own jurisdiction. This does not appear to me to affect the principle of the Bill, and I accordingly propose to adopt, in substance, that portion of the Amendment to the 7th clause of the Bill of which the noble Marquess has given Notice. The only other material point is this. I have proposed by the 5th clause to adopt, in substance, the same mode of determining the right of succession to Peerages on the death of a Peer which Parliament thought fit to adopt with regard to Irish Representative Peerages in the year 1857. The reference to Ireland was, I think, misunderstood. I stated, on the second reading, that I would substitute for any such reference words distinctly specifying the manner of proceeding intended, which was that in those cases where an application might be made by a person claiming to be the successor of a Peer, the House should cause inquiry to be made by the Lord Chancellor or Keeper of the Great Seal. But in certain communications which I have since had with the Lord Justice Clerk, he has led me to understand that it would be acceptable to many Scottish Peers that the mode of proceeding should undergo a modification which, in my opinion, involves no principle, and which, therefore, I shall willingly adopt, since it is acceptable to noble Lords from Scotland; and that is, in the same cases of succession for which my clause was intended to provide, an application should, in the first instance, be made by the successor to the Lord Clerk Register, accompanied by the production of a decree of service, finding the applicant to be heir to the person or persons through whom he professes to make out his title, together with the evidence on which such service has proceeded, and also a record, duly authenticated, of the proceedings. The Lord Clerk Register, on receiving such application, will refer it to the House of Lords, and the House of Lords will refer it to the Lord Chancellor, and he will report. These are the principal Amendments, and I now beg to move that the Bill be committed *pro formâ*, and reprinted with Amendments.

*Moved*, "That the Bill be committed *pro formâ*, and reprinted with Amendments."—(*The Lord Chancellor.*)

THE DUKE OF RICHMOND AND GORDON said, it seemed to him that Clause 7, as it was proposed to be altered in regard to reference to the Court of Session, would be open to very great objection; and he wished to know if it would be competent to discuss the clause when the Bill again came up?

THE LORD CHANCELLOR said, he wished it to be understood that the clause would be entirely open to consideration after it was reprinted.

THE EARL OF GALLOWAY said, he was sure that he might state, on the part of a large number of Scottish Peers, that the announcement made by the Lord Chancellor was a most satisfactory one. He did not now consider it necessary to proceed with the Amendment of which he had given Notice.

THE EARL OF REDESDALE (CHAIRMAN OF COMMITTEES), said, he must express his dissent from the modification proposed by the Lord Chancellor with regard to dealing with succession claims. He believed there had been a misunderstanding among the Scottish Peers as to what the proceedings had always been upon the subject. The practice hitherto observed was much less expensive than that would be which was now proposed. In the case of successions it was absolutely necessary that precautions should be taken against anyone but the proper successor being admitted.

LORD BALFOUR said, he should like to hear a clear statement from the Lord Chancellor as to whether the effect of the Amendments he was to propose would be to give the Court of Session any jurisdiction in the matter of Peerage cases?

THE LORD CHANCELLOR was understood to convey that this would not be the effect of his Amendments.

LORD BALFOUR said, he was glad to be assured on the point, because he thought that giving such jurisdiction to the Court of Session would be a most unwise step.

Motion *agreed to;* House in Committee (according to order); amendments made; Bill *re-committed* to a Committee of the Whole House on *Tuesday* the 29*th instant;* and to be *printed* as amended. (No. 53.)

## BRITISH POSSESSIONS ABROAD—THE ROYAL COMMISSION.

### QUESTION. OBSERVATIONS.

THE EARL OF CARNARVON asked, Whether Her Majesty's Government could give any assurance that they were taking any measures with a view to carrying into effect at an early date the recommendations of the Royal Commission "for the defence of British possessions and Commerce abroad?" The Commission, he explained, of which he had the honour to be Chairman, was appointed nearly four years ago, and consisted of Lord Camperdown, Sir Henry Holland, Sir Alexander Milne, Sir Lintorn Simmons, Sir Henry Barkly, Mr. Whitbread, Mr. Hamilton (now in Dublin), Mr. Childers, and Sir Thomas Brassey—gentlemen eminently qualified to conduct an inquiry of this kind. They sat for three years and reported at very considerable length, as was known to the Government. They reported by instalments in order to enable the Government to take action upon those questions which they considered to be of the greatest and most urgent importance. The Report of the Commission had not been laid on the Table of the House. It was of a strictly confidential character, and he should not be justified in bringing the recommendations before the House, nor in saying anything to induce the Government to take that course. But those recommendations, based as they were to an extraordinary extent on professional evidence, were very important, and it was with regret that he had not seen any action taken by Her Majesty's Government on the subject. He trusted that he was mistaken in this, and that the Report had not been consigned to the pigeon-hole. At any rate, the time might come when it might be said to the Members of the Commission—"Why did you, knowing the vast interests involved and what the recommendations were, sit absolutely silent and passive while you thought or saw no action was being taken?" He would not have that on his conscience, and after this he should place the whole responsibility on the shoulders of the Government. There were some things which he might say without indiscretion, because the facts to which he should refer were already in a great measure public property. He would not read many figures to the House, but he would lay a few before their Lordships in order to show the enormous stake which the country had in this matter, although those figures would hardly convey a full impression of it. In 1878, since which year there had, no doubt, been a considerable increase, the value of British shippings — ships alone — was estimated at £88,000,000, and of Colonial shipping £20,000,000, a total of £108,000,000. To that must be added the annual value of the foreign trade of the United Kingdom, which amounted to the sum of £620,000,000; and of the Colonial trade, exclusive of trade with the United Kingdom, £190,000,000, or a total of £810,000,000 sterling. It might be added that a great deal of trade nominally foreign was English, and that some of the shipping that was nominally foreign was also English. In round numbers, £900,000,000 might in 1878 be taken to represent the value of our stake in commerce abroad. No other country had such a large stake in commerce. But, enormous as the figures were, they barely represented the entire value of the interests at stake. The value of the trade of the United Kingdom, and of the ships engaged in it afloat at one time, was close upon £150,000,000 sterling, and not only was there no other country or people in the world which had as large a stake as this, but it was a stake so large that, as he had said, the figures gave really little idea of it. Further, he would compare the merchant navy of England with that of the rest of the world in 1880, the latest figures he had. The total tonnage of the British merchant navy was 6,500,000 tons, of which the steam tonnage amounted to no less than 2,700,000 tons. On the other hand, the total foreign tonnage of ships of every nation included amounted to only 8,000,000 tons, and their steam tonnage was considerably less than ours. He would go one step further and remind the House of that which was no secret, that during the last few years sailing ships had been to an enormous extent superseded by steamers. The increase that had taken place in steam vessels during the last 20 years would be seen from the following figures:—In 1860 the total of British tonnage engaged in the home and foreign trade was 4,250,000 tons; and of that only 400,000 tons represented steam. In 1879 the total tonnage of British ships in the home and foreign trade had increased to 6,250,000 tons, of which steamers represented no less than 2,300,000 tons. It was no exaggeration to say that a complete revolution had been effected by this supersession of sailing ships by steam. Many questions arose on this matter, into which he need not enter; but there was one point the vital importance of which no one would dispute who had looked into the subject—the defence, at all events, of our coaling stations abroad. It was vitally necessary for this reason, that unless our coaling stations were in an effective state our fleets could not operate against an enemy, we should not be able to shelter our merchantmen, to repair and refit our ships, and, in short, we should not be able to make use of the superior powers of steam which we possessed as a nation. The House would remember the amount of mischief that was done by a few ships, such as the *Alabama* and *Florida*, in the time of the American War; but great as that mischief was, it would be nothing compared to that which might be done to our shipping in a time of war if those coaling stations were not properly cared for. We stood in a totally different position in this respect from any other nation in the word. Trade was the sinew of this country, and our trade, unlike that of every other nation, was scattered over the surface of the globe. Germany had few or no Colonies. Spain had Colonies and little commerce. Italy had a small foreign trade, and Russia had not much. France was the only country besides ourselves that had Colonies and a considerable amount of commerce, and he would point out to the House that the French had thought it expedient to take steps for the defence of their coaling stations at Senegal, La Réunion, and other places. At Martinique also they had spent considerable sums, and were building a dry dock there capable of holding the largest ships that passed through the Suez Canal. He would read to the House an extract from a speech made by the French Minister of Marine two or three years ago, when he brought his Estimates before the French Chamber, and their Lordships would see that it was very applicable to the matter in hand. He said—

> "Our Colonies ought to be rendered safe from insult, by which I mean that a single ship should not be able to place itself in front of one of the towns on the coast and summon it to furnish either coal or provisions on pain of bombardment. If there were no works capable of resisting and replying with guns to this sort of requisition we should be obliged to submit, even though we were masters at sea. It is said that ships of war should supply the want; but they could not be everywhere, and it is possible that a hostile cruiser taking advantage of their temporary absence might descend upon an important port and levy contributions which would far exceed in value the cost of the defences we propose. In conclusion, it is necessary for you to decide whether the Colonies are or are not to be defended; and let me say that if you decide that they are not to be defended, you will probably lose far more by the disasters which may ensue than the cost of the fortifications. I have done my duty by laying the matter before you as I thought was right, and thus relieved myself from the responsibility which must have rested upon me if by my silence I had been the cause of an insult to the French flag, You wish to keep the Colonies. You are right—but I consider it is absolutely necessary to defend them."

Those words might be applied to our own case. If the French Minister thought it right to speak in those terms, he thought this was a question which, at all events, might engage the attention of Parliament. There was one other point to which he would like to call the attention of the House. There was a constant tendency out-of-doors to confuse the Colonies with merely stations; but he thought the Colonies were doing their duty very fairly in this matter. In Australia, at Sydney, at Adelaide, and at Melbourne, very large works were being constructed, and so keen were they upon the subject that they had anticipated some changes in the construction of guns, and in addition to that many of them had already created considerable land forces. The responsible Colonies were doing all that was necessary in the matter, and were doing it without putting us to one shilling of expense. The principle on which they were acting was, that if we with our squadron protected them, they, on the other hand, would give shelter to our ships by placing their ports in a state of defence. He now went to the military stations, and of them, of course, a principal part of the expense fell, and must fall, on this country; but, at the same time, they were absolutely essential, and if they were placed and kept in a sufficient state of defence, there was every reason to hope we might clear the sea of our enemies. He considered that he should say nothing with regard to the recommendations of the Royal Commission; only he would say that some of those recommendations made involved comparatively very little cost. And this further he would say, that in any recommendations they made they were most careful to avoid recommending any multiplication of garrisons or forces. He would only add one word more, to get rid of the idea that because we held Egypt we were therefore to dispense with taking any other securities. He believed there could be no greater mistake or a more dangerous one than that. There were many contingencies even in time of war, which would make it absolutely essential for us to maintain the Cape route to India, and, therefore, he trusted that whatever her Majesty's Government did, there would be no saving or false economy in placing the Cape station in a thoroughly effective state of defence. He would now ask the noble Lord the Question he had put upon the Paper.

The Earl of NORTHBROOK said, that in answering the Question he should like, in the first place, to state that Her Majesty's Government felt greatly indebted to the Royal Commission, over which the noble Earl had presided, for the very able manner in which they had performed the confidential and important duty intrusted to them by the late Government. He could assure his noble Friend that he had read the Report with the greatest attention, and that Her Majesty's Government were prepared to give it that consideration to which the importance of the subject entitled it. In respect to the Question put by his noble Friend, he assured him that the Board of Admiralty, being, he might say, more interested in the matter than any other Department, had followed, and were still following, in one or two important particulars, the lines which the Commission had indicated. With regard to the part of his noble Friend's Question which referred to fortifications, he thought that he must feel that such recommendations required very careful consideration. The recommendations had, therefore, been referred to practical authorities for consideration, both with respect to the works themselves and to another most important matter, the strength of the garrisons required for the works recommended by the Commission. He could only say that the labours of the Commission would not be fruitless, and he hoped his noble Friend would be satisfied with this answer. He would like, however, before sitting down to express his hearty concurrence in the manner in which the noble Earl had spoken in respect to the Australian Colonies, for the great public spirit and great wisdom they had displayed in providing both sea and land defences for their most important ports.

## EGYPT (EXPEDITIONARY FORCE)—FIELD ALLOWANCES.

### QUESTION. OBSERVATIONS.

Viscount ENFIELD rose to ask the Secretary of State for India, Whether the officers of the 1st Battalion Manchester Regiment (late 63rd) and the 1st Battalion Seaforth Highlanders (late 72nd), having received six months' field allowance during service in Egypt, in common with officers of other regiments, had since been called upon to refund the same; and whether those officers ceased to receive the usual rates of Indian pay and allowances after their arrival at Suez in August last, although the regiments to which they belonged were not placed upon the English establishment till the 10th of October? The noble Viscount said, these two regiments landed at Suez in the latter part of the month of August, and on the 10th of October were placed on the English establishment. It was contended that they should not receive higher pay and allowances than other officers; but they had received six months' pay and allowance for duty in the field as well as the other officers who formed part of the Egyptian Expedition; but the six months' field allowance which was issued to the 63rd and 72nd Regiments had been withdrawn. With regard to the 63rd Regiment, he was informed that although the quartermaster had in his hands six months' allowance for the officers, it was not issued to them; but the officers in the 72nd Regiment had received the six months' pay and allowance and had since been compelled to refund it. Either these regiments were entitled to receive Indian pay and allowances, or they were entitled to receive six months' field allowances. He was quite certain that an unintentional oversight had occurred, and that there was no intention on the part of the Government to deprive the officers of these two distinguished regiments of any allowances to which they were justly entitled.

THE EARL OF KIMBERLEY: My Lords, the fact is the officers referred to were not considered entitled to the field allowance on quitting India, because up to the date of their landing in Egypt they continued in receipt of those higher rates of Indian pay and allowances which include the provision of field equipment, to meet the cost of which the advance in question was given to officers proceeding on service from England. From the date of their landing in Egypt, however, they received the War Office daily rate of field allowance. The regimental authorities of the Seaforth Highlanders drew the whole of the six months' field allowance, and have been called on to refund. A similar claim by the Manchester Regiment has been disallowed. On representations, however, subsequently received, the India Office has under immediate consideration the claims of the officers to the whole six months' advance.

## FISHERIES (SCOTLAND).

### QUESTION. OBSERVATIONS.

THE MARQUESS OF HUNTLY asked the Under Secretary of State for the Home Department, Whether it would be possible to obtain returns of the number and valuation of the Scotch coast and river salmon fisheries; and, if so, whether instructions would be sent to the Scotch Fishery Board in accordance with the 5th section of the Fishery Board Act, 1882, to procure and include these returns and valuations in their annual report to be presented to Parliament; and when the report would be presented? The noble Lord said, there were certain districts which were not under the District Salmon Fishery Boards; but he believed that that difficulty would be obviated if the Home Department sent instructions to the Fishery Boards to get the valuations from the assessors in each county in Scotland. If the complete Report could not be obtained this year, he hoped the Under Secretary would be able to state when it was likely to be ready. He thought it was most important in dealing with questions connected with salmon fisheries that the most complete information should be given to Parliament.

THE EARL OF ROSEBERY said, he could answer the Question of which the noble Marquess had given Notice, but he could not answer the Question of which the noble Marquess had not given Notice. On seeing this Question on the Paper, he wrote to the Secretary of the Fishery Board in Scotland, who informed him that the returns of the number and valuation of the Scottish coast and river salmon fisheries could only be obtained in those fishery districts where there were District Boards, but that it would be impossible, or nearly so, to obtain them were there were no Fishery Boards. There were three-fourths of the fishery districts in Scotland without Boards. The Secretary added that it would be very desirable to procure these returns, and that they would be given this year, but only to a certain extent, as the rivers on the East coast alone had as yet been inspected, and a Report thereon was in preparation. He was unable to answer the Question of the noble Marquess as to when the Report would be presented.

THE DUKE OF RICHMOND AND GORDON said, he should like to be quite certain as to what the noble Lord understood by the word "valuation." He did not think there was anything in the 5th section of the Fishery Board Act that had to do with valuation.

THE EARL OF ROSEBERY replied, that he took it for granted that the secretary of the Fishery Board, on whose authority he relied, meant the rental of these Scottish fisheries; but he spoke under correction.

THE MARQUESS OF SALISBURY said, it was an unusual proceeding to go behind a valuation roll, which was the basis for rating, and was open to everyone. To give returns of the annual rental of private property was entirely without precedent. If these were granted it would be found that questions of a very inconvenient character would follow.

THE EARL OF ROSEBERY said, there could be no difficulty in giving the returns from the valuation roll. The difficulty, he thought, was in ascertaining the rental.

THE DUKE OF RICHMOND AND GORDON said, he did not think that the noble Earl had quite apprehended the point. It was whether the information which was to be given in accordance with the 6th section of the Fishery Board Act was the valuation according to the valuation roll? That, of course, was a public document. If it was meant that inquiry was to be made into the rental and value of the different fisheries in Scotland, then it struck him that that would be a most inquisitorial proceeding, and one to which he should certainly object if any application was made to him.

THE MARQUESS OF HUNTLY was understood to say that he only wanted the returns from the valuation rolls.

## ARMY (AUXILIARY FORCES)—THE MUSKETRY REGULATIONS.

### QUESTION. OBSERVATIONS.

VISCOUNT HARDINGE asked the Under Secretary for War, Whether it was intended to revise the musketry regulations of the Volunteer Force? The noble Lord said, that the War Office Committee had lately reported on the whole question of musketry instruction, and had made recommendations, most of which had already been adopted in the Regular Army. They stated in that Report that although the Volunteer Forces exhibited excellent shooting at Wimbledon and elsewhere, they believed that the majority of the Force were not superior to the Line as marksmen. He fully endorsed this opinion, and attributed this to a great extent to the system which enabled them to earn the capitation grant by merely firing the regulated number of rounds. They often fired off nearly the whole of this number without the supervision of an officer. The consequence was that they knew they could earn nothing extra for their corps; they fired carelessly, and failed to get into the 2nd class. He thought a portion of the grant might be made to depend on their getting into the 2nd class, or else that some additional inducement should be given. He was sure the noble Earl would agree with him that it was absolutely necessary to encourage good shooting amongst all branches of the Auxiliary Forces.

THE EARL OF LIMERICK asked whether there might not be some difficulty in applying the new regulations to the Militia?

THE EARL OF MORLEY said, with regard to the Question of the noble Earl (the Earl of Limerick), they were anxious to keep the Militia at as high a standard as possible. The only solution of the difficulty referred to by the noble Earl was by extending the period of training; but that would mean a considerable increase of expenditure, and would cause great inconvenience to the men and those who employed them. As to the Question of the noble Viscount (Viscount Hardinge), he was ready to admit its great importance. It was essential that the Volunteers should be efficient, not merely in drill, but also in shooting. From statistics of the shooting of Volunteers for the year before last—the latest he could obtain—he found that out of 154,000 efficients in Infantry Volunteer Corps, 16,000 men shot away their 60 rounds each, and failed to get into the second class. That was about 10 per cent of the whole number of efficients; 70 per cent passed into the second class, and 20 per cent into the first class. Those figures did not give so unsatisfactory an account of the shooting of Volunteers as he was led to expect. There were several questions affecting this part of the Volunteers' training. In the first place, they were very anxious to do nothing to press unduly upon the time and labour of Volunteers. In recent years they had increased the qualifications required for efficients, and he was bound to say that to all the new demands they had made the Volunteers had responded in a spirit of the greatest loyalty and energy. They were, therefore, unwilling, unless it were absolutely necessary, to press the qualification to an extreme length. In the second place, he thought that if all Volunteers were required to reach the second class before they could obtain their qualification of efficiency, it would act somewhat unequally on different corps, because while some corps had adequate and convenient ranges, others might have have to go long distances, and could only shoot as occasion offered. Another difficulty was with regard to supervision.

It was impossible that they could have the same supervision in the case of the firing in the Volunteers as they had in the Line. He mentioned these facts to show the difficulties which surrounded the question; but he admitted that the present test was unsatisfactory, and he thought it very desirable that a greater number of Volunteers should be encouraged to take sufficient trouble with their shooting to enable them to obtain a place in the second class. When the Martini-Henry rifle could be issued to the Volunteers—and he could give no definite information when that would be—the present musketry regulations for Volunteers would require revision, and that would be a very convenient time for also taking up the question to which the noble Viscount had called attention.

### ISLE OF MAN (HARBOURS) BILL.

(*The Lord Sudeley.*)

(NO. 50.) COMMITTEE.

Order for the House to be put into Committee read.

The Earl of REDESDALE (Chairman of Committees) asked for some explanation as to the object and scope of the measure.

Lord SUDELEY: My Lords, the object of this Bill is to enable further duties to be levied on vessels using the harbours of the Isle of Man. By the Isle of Man Harbours Act of 1872 full power was given to impose harbour dues on all vessels using the port; but as these tonnage dues would act as an import duty, and raise the cost of everything throughout the Island, and, at the same time, act prejudicially on vessels merely calling on their way across from Ireland, it has not been found desirable to impose duties in this form. About £300,000 has been spent in improving the harbours, and as further sums will have to be spent for the special purpose of improving the harbours for passenger steamers bringing tourists, it has been decided to obtain additional powers so as to place a tax of 1*d.* to 3*d.* on each passenger carried. As there are now about 120,000 persons visiting the Island in each year, it is intended, by means of a tax of 1*d.*, to raise £1,000 a-year towards the repairs and the interest on the loans. This tax will practically be paid by the steam companies. The House of Keys has passed a strong resolution in favour of this Bill, and the feeling of the Island is strongly in favour of it.

House in Committee (according to order); Bill *reported* without amendment; and to be read 3ª on *Monday* next.

### MEDICAL ACT (1858) AMENDMENT BILL. [H.L.]

A Bill to amend the Medical Act (1858)—Was *presented* by The Lord O'Hagan; read 1ª. (No. 52.)

House adjourned at a quarter before Six o'clock, to Monday next, a quarter before Eleven o'clock.

## HOUSE OF COMMONS,

*Friday, 4th May, 1883.*

MINUTES.]—Select Committee—*Report*—Turnpike Acts Continuance [No. 153].

Public Bills—*Leave*—*Ordered*—*First Reading*—Constabulary and Police (Ireland) (Pay and Pensions) [171].

*Ordered*—*First Reading*—Tramways Provisional Orders (Aldershot and Farnborough, &c.) * [167]; Tramways Provisional Orders (No. 2) (Birmingham and Western District, &c.) * [168]; Tramways Provisional Orders (No. 3) (Colchester, &c.) * [169]; Local Government Provisional Orders (No. 3) (Bethesda, &c.) * [170].

### PARLIAMENTARY OATH (MR. BRADLAUGH).

COMMUNICATION TO THE HOUSE.

Mr. SPEAKER acquainted the House that he had this day received from Mr. Bradlaugh, one of the Members for Northampton, a Letter which he read to the House as follows:—

*4th May.*

*To the Right Honourable the Speaker.*

*Sir,*

*I beg to ask you to call me to the Table, at the proper time, with two Members to introduce me, for the purpose of taking the Oath required by Law; and, should you feel any difficulty in taking this course, I respectfully ask to be heard at the Bar of the House, in support of my claim.*

*I have the honour to be, Sir,*
*Your most obedient Servant,*
*C. BRADLAUGH.*

Mr. SPEAKER further stated, that, bearing in mind all the circumstances that surrounded the claim of Mr. Bradlaugh to take his seat, he felt bound to desire the instructions of the House, before he called upon Mr. Bradlaugh to come to the Table.

SIR STAFFORD NORTHCOTE: Sir, as I do not understand that the Prime Minister proposes to offer any counsel to the House upon this question, I need offer no apology for presenting myself. I assume that those who have on several previous occasions voted against allowing Mr. Bradlaugh to go through the form of repeating the words of the Oath will still remain of the same opinion, without that opinion being at all affected by circumstances which have recently taken place; and I therefore shall, without any comment, propose the same Resolution which I have upon previous occasions proposed, the effect of which will be to exclude Mr. Bradlaugh from going through the form of repeating the words of the Oath which is prescribed for Members of Parliament. I observe in the letter you, Sir, have communicated to the House, that Mr. Bradlaugh expresses a desire to be heard at the Bar of the House in support of his claim. For my part, I see no objection and I shall certainly offer no opposition to his being heard at the Bar in support of his claim. That does not at all affect the terms of the Motion which I have now the honour of placing in your hands.

Motion made, and Question proposed,

"That, having regard to the Resolutions of this House of the 22nd June 1880, of the 26th April 1881, and of the 7th February and 6th March 1882, and to the Reports and Proceedings of two Select Committees therein referred to, Mr. Bradlaugh be not permitted to go through the form of repeating the words of the Oath prescribed by the Statutes 29 Vic. c. 19, and 31 and 32 Vic. c. 72."—(*Sir Stafford Northcote.*)

MR. GLADSTONE: Sir, after hearing you read the letter which you have received from the junior Member for Northampton, I was under an erroneous impression that probably the hon. Gentleman the senior Member for Northampton, who has been the natural and legitimate Representative of his Colleague in all matters—in all lawful matters—relating to this controversy, would rise and make a Motion upon it. But that did not take place, and the right hon. Gentleman opposite was called upon. I am bound to say I should have had no objection whatever to make to the very proper Motion which the right hon. Gentleman has made. I think, perhaps, upon the whole, it rests more appropriately with him than with me in the circumstances; I think it is a compliance with the principles of equity, and it shows a disposition, within the limits of conscientious conviction, to pay due respect to the views of a constituency in the exercise of a Constitutional duty. I give the right hon. Gentleman full credit for having, on that ground, invited criticism in moving that we hear Mr. Bradlaugh.

SIR STAFFORD NORTHCOTE: What I stated was that I should move the same Resolution that I have moved on previous occasions, that Mr. Bradlaugh be not permitted to take the Oath, that being the first and main point of the letter which he has addressed to the Speaker. With regard to the second part of that letter, in which Mr. Bradlaugh expresses a desire that he should be heard at the Bar of the House, I stated that I could see and should offer no objection to his being heard at the Bar. It is not for me to move that he should be heard at the Bar.

MR. LABOUCHERE: I beg to move that Mr. Bradlaugh be heard at the Bar.

MR. SCLATER-BOOTH: Sir, I rise to Order. Is it competent for the hon. Member to make that Motion when another Motion is before you?

MR. SPEAKER: As I understood, the House appeared to be in doubt whether Mr. Bradlaugh should be heard at the Bar. I will take the pleasure of the House on that matter.

Question put, and *agreed to*.

MR. BRADLAUGH: Mr. Speaker, with the indulgence of the House, I desire to submit a very few words in support of my right to take the Oath and my seat, pursuant to my return. I was elected on the 4th of March last year, and since that election I have not presented myself for the purpose of taking my seat. The House, after my election, expressed its pleasure that I should not be permitted to obey the law last Session. This Session the House has been engaged in considering a measure which, if it had passed, would have rendered it possible, supposing my constituents to have re-elected me, for me to have taken my seat on Affirmation. Last night the House felt it right to reject that measure, and it is now my duty to do what the law requires me to do, and I ask the indulgence of Members who are hostile to me, in the few words which it is my very unpleasant duty to submit to the House. I ask that indulgence because my position for some time has been one of considerable pain. By the privilege of an unsworn Member I have been within hearing of everything which has taken place in this House; but by the practice of the House I have been precluded from offering the smallest dissent to any phrase, however severe, to any insinuation however harsh, and to any charge however much I might feel it to be false. My constituents have the right to the voices and speech of two Representatives in this House. That is their right by law. They have chosen me three times in this Parliament to be one of their burgesses, and if I were as vile as some Members have chosen to describe me, if that vileness imposes no legal disqualification, no one within these walls has the right to challenge the return of my constituents. The law requires me to take my seat. It imposes a penalty upon me if I do not take my seat. It gives me privileges which I ought to enjoy while I hold unchallenged this certificate of return; and here I ask whether there ought to be any hindrance between the returned of a constituency and the duty which the law imposes upon him whose service the constituency has the right to exact? And I submit that any hindrance which is not justified by law is an act which in itself is flagrantly wrong, whoever may commit it, and that the mere fact that the majority of voices in one Chamber may prevent a citizen from appealing to the law in no sense lessens the iniquity of an illegal act, and that history will so judge it, whatever to-day you may think it your right and your duty to do. I listened, Sir, with pain to one dangerous doctrine which was put forward against my admission—namely, that Parliament recognized no rights but its own; that it had never treated those claims—that is, those of the electors of Northampton for electoral and representative concessions — as rights; that it had always regarded them as high and valuable privileges, which it was in its power to withhold or bestow, and that it had never been guided by any other principle than expediency or policy. I submit that that doctrine is treason to the Constitution of England. I submit that the suffrage is a right—that in the famous case of "Ashby *v.* White" it was decided by the highest Courts of Judicature in this Realm that the suffrage is not a privilege, but a right; and I submit that while it is true that Parliament has the right to take away, negate, or destroy the right of any citizen in this country, yet that one Chamber is not Parliament, and neither House by its mere Resolution may override, negate, or suspend the law, and that, although you may have the right of force, that is a bad right to put against the right of law. [*Interruption.*] I can only thank the courtesy of the Members who interrupt me on my right for their consideration to me in the difficult position in which I am placed. I will ask the indulgence of the House while I offer one or two words of explanation as to matters which have been personally urged as reasons why I should not sit. It is said first, that I am a candidate of the Government—put forward by the Government. Surely, if that were true it would be no great objection in the way of my return. But there is not a particle of truth in it. I stood in 1868 at Northampton to fight the seat of Lord Henley. The present Prime Minister on that occasion thought it his duty to oppose my election, and he wrote a letter which I thought then a fair ground of complaint, advising the people of Northampton to return the sitting Members—Mr. Charles Gilpin and Lord Henley. I have never had, directly or indirectly, the smallest aid or assistance from either the present Prime Minister, or any Member of the Government, or, to my knowledge, from any Member of the Liberal Party, in any one of the elections I have fought in that borough. And when the hon. Member who has felt it his duty to come in unfortunate collision with me elsewhere chooses to contradict that, he contradicts it without the smallest knowledge of the facts. With reference to the allegation made by the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross), that Mr. Adam had in some fashion recommended me to the electors of Northampton, there is not the faintest shadow of foundation for that. I never held the smallest communication, direct or indirect, of any character whatever, with

Mr. Adam, or anyone on his behalf, until in this House, in his official position as Commissioner of Works, it was my duty to address questions to him on behalf of my constituents. With that exception, I never had the smallest connection, direct or indirect, with Mr. Adam or any Member of the Government, and to my belief—it may be incorrect, but to my belief—I have always regarded the Liberal Party as rather standing in the way of my election than in any fashion helping to forward my return. This allegation, however, I submit was unworthy of this House; and I submit that no such considerations have ever entered at any time in the discussion of a candidature. I submit that a great House which claims the powers of one of the highest Courts of this Realm should try to be judicial. Then it is said that all that has happened I have brought upon myself; that it is not the opinions which were alleged against me, but, to use the words of more than one right hon. and hon. Member, the offensive way in which at the Table of the House I paraded my views and threw down the gauntlet in the face of the House. Now, there is not a shadow of justification for that. The only way in which it is attempted to support the allegation is by saying that at the Table of the House, when I had in writing claimed to affirm, giving no reasons whatever in that claim, and when I was asked under what law I claimed to affirm, and I named the Statutes, it was said that was a declaration of Atheism. But it is not true, and no person having the smallest acquaintance with the law should have made such a declaration. I think I heard one right hon. Gentleman commit himself to the statement that none except Atheists could affirm under the Evidence Amendment Acts of 1869 and 1870. That is not so. By the law prior to the passing of those Acts, any Theist who did not believe in future rewards or punishments was one of those who were not competent to give evidence on Oath, who might have been objected to as incompetent, and who became competent to affirm under those Statutes. And, therefore, I say there was no declaration of Atheism involved in what was said at the Table, and that no Member has the right to examine my opinions. I have never uttered them in this House, and, under great temptation, I have refrained from using any word which could wound the feelings of the most religious, though I have heard within these walls, within but a few hours, language used, by one who has declared his religion, against me, which I should have felt ashamed to use in any decent assembly. Nothing of my opinions, Sir, was communicated to the House until the Committee which examined me before it asked whether I had written a certain letter to *The Times*. It has been stated over and over again on both sides of the House that any declaration in *The Times*, or any declaration outside these walls, is a matter with which Parliament has no concern. I objected to answer the question on the ground that it was a matter with which Parliament had no concern. But when the Committee insisted I gave way, for I had no desire to be a hypocrite or to conceal my real convictions. I have put, I hope, as respectfully as any man can put, what I thought a fair reason for the line I took, and though I believed it was a matter which the House had no right to deal with, and entirely without its province, yet, when the Committee pressed me on it, I believed I was dealing with generous English Gentlemen, who would not distort what they had asked for into a declaration that I had paraded it before the House. I have had to sit with pain while reckless charges, probably supplied to Members by persons not having the responsibility of a seat in this House, have sounded in my ears; I have heard two right hon. and several hon. Members quote against me during this week, letters from "An Avowed Atheist," as expressing my opinions on religion and on family. These were quoted on the 1st of May against me, though on the 26th of April, in the paper in which those letters were printed, there appeared a declaration that they had not been written by an avowed Atheist at all, but by a professing Christian, for the purpose of injuring me and preventing my candidature. I ask the House whether that is a loyal and brave way to deal with a man who has no right of speech till it is too late to remedy the wrong done? Members have been industrious in reading all the things I have ever written, and some things I have never written. One, the hon. Member for the Tower Hamlets (Mr. Ritchie), read in this House a phrase which, when he read it, I could not remember, and which I knew it was impossible I could have used in the way it was put, because it would have been fatal to the candidature I had desired to preserve at Northampton. And what do I find? I find, instead of its being a matter happening in any fashion since this contest began, that a portion of a speech attributed to me 15 years ago has been taken, though at the top of the very paragraph from which the hon. Member has quoted I find there is a declaration that I am not in any way responsible for what appears in the report. Surely, it would have been generous of him to say that, it would have been fair to say that, it would have been just to say that. I do not pretend that many things I have said are not deserving of blame from this House; but there is a great difference between treating things as deserving blame, and twisting and distorting a phrase to make it a groundwork for the heaviest punishment that can fall on a man who desires to serve the constituency that elected him to represent it in this House. Then I heard that I had been convicted of circulating a filthy book, and had escaped by a legal quibble the punishment I had deserved. The hon. Member who thought it right to say that in this House, might have stated that the learned Judge who tried me—and whose grave may protect him from the insinuations heaped upon other Judges who have had the misfortune to do me justice—the late Lord Chief Justice Cockburn, said—

> "The defendants honestly believed that the evils which this work would remedy, arising from over-population and poverty, are so great that these checks may be resorted to as a remedy for the evils and as bettering the condition of humanity, although there might be things to be avoided if it were possible to avoid them, and yet remedy the evils which they are to prevent. That such is the honest opinion of the defendants, we, who have read that book and heard what they have said, must do them the justice of believing."

Is that the language which one of England's greatest Judges would use of a man on trial before him for circulating a filthy book? And the jury who found me guilty said in their verdict—

> "We entirely exonerate the defendants from any corrupt motive in publishing it."

Surely, when foul words of condemnation came, a generous and strong opponent would have at least said this on the other side, so that the House might be a judge how far the condemnation was warranted. I would say one more word personally. Members who have alleged that I attacked marriage, that I attacked family, cannot have read one word I have written or said on either. I have never in my life attacked either. Members who charge me with Socialism and Communism are ignorant of the whole history of my life, and of the whole political strife in which I have been engaged. But these charges, if they were as true as they are false, give you no right to stand between me and my seat. I ask the House with all respect to be logical. I do not doubt that it would be difficult for some Members to get into the frame of mind which would enable them to be so; but I ask them either to declare my seat vacant now, or at once to introduce a Bill rendering me incapable of sitting for any constituency. Deprive me of all civil rights by law, and then I must submit, as better men have had to submit, whom the Parliament of England has attainted and outlawed; but while I have my civil rights I will claim them. If the law cannot give them to me—and perhaps it is better that this House should be above the law—then I can only try to obtain them, and wherever my voice may go, say that you, the High Court of Parliament, greater than law, have trampled upon law. I can at least try at the hustings and the ballot-box; when the time comes—the people, whom you say are on your side—will decide, as it is their legal right to do. I heard the strange phrase from a noble Lord that both sides had gone too far to recede. The House honours me too much in putting me on one side and itself on the other. But the House being strong should be generous. The strong can recede; the generous can give. But constituencies have a right to more than generosity. They have a right to justice. The law gives me that seat; in the name of the law I ask for it. I regret that my personality overshadows the principles involved in this question. But I would ask those who have touched my right, not knowing it; who have found for me vices which I do not remember in the memory of my life—I would ask them whether all can afford to cast the first stone—or whether, condemning me justly for my unworthiness, they will, as just Judges, vacate their own seats, having deprived my constituents of their right here to mine?

Mr. LABOUCHERE said, the Resolution which had been proposed by the right hon. Gentleman opposite was one that, as he thought, had been proposed and carried in that House already four times; but the right hon. Gentleman had not stated that on all those occasions there was a considerable number of Members who voted against it. On the 7th of February, 1882, the right hon. Gentleman proposed the same Resolution, which was met by the Home Secretary with the Previous Question, for which he gave the following valid reasons—namely, that—

> "The House has no right to interpose and say that a person duly elected by any constituency is not entitled to come to this Table and take the Oath which the Statute prescribes he is to take. We regard a Resolution of this character—that is to say, of the character of the resolution proposed by the right hon. Gentleman—as in effect doing what a Resolution of the House of Commons ought not to do—namely, set aside the provisions of an Act of Parliament. The course we should advise the House of Commons to take is that as they permitted Mr. Bradlaugh to take the Affirmation, subject to the decision of the Courts of Law, so he should be allowed to take the Oath in the form of words prescribed by the Statute, subject to the judgment of the Courts of Law, as to whether that is a fulfilment of the condition presented by the Statute."

Such was the argument of the Home Secretary, and he (Mr. Labouchere) proposed to take a precisely similar course in this instance. For his own part, he was not aware why those who on previous occasions held that Mr. Bradlaugh was entitled to take the Oath, should not hold the same now. On the contrary, there was every reason why they should, seeing that Mr. Bradlaugh's case had been strengthened since then. He had been since re-elected by his constituency, and the highest Court of the Realm had decided that Mr. Bradlaugh had a right to take the Oath. The Lord Chancellor had decided that as Mr. Bradlaugh was not allowed to affirm, therefore it was his duty to take the Oath. But there was another reason. Without going into the past, they all knew perfectly well that the reason why the House had previously objected to Mr. Bradlaugh being allowed to take the Oath was that he stated within the precincts of the House what, to all intents and purposes, amounted to this—that he was an Atheist. But the law of England held that Atheism was not a permanent quality. Though a man might have said he was an Atheist 100 times, the law held that he must be judged only by what he said when he came to perform any judicial act requiring an oath to be taken. When he came before a Court of Law, though he might have affirmed 100 times before as an Atheist, the Judge would still ask him whether he was an Atheist then, and if he said he was not, it was not competent to go back upon any previous assertions made by him, to show that he was an Atheist. According to law, therefore, the House had no official knowledge at present that Mr. Bradlaugh was an Atheist. Since Mr. Bradlaugh had been re-elected it was well known by every Member of the House that a Gentleman had been elected of great position in the literary world, and everyone who knew anything of literature was aware that he had avowed himself to be an unbeliever in a Superintending Providence as clearly as Professor Huxley himself. Why had they allowed that Gentleman, whom every one of them knew to be an Atheist, to take the Oath, and yet would not allow Mr. Bradlaugh to take it, because it was asserted that three years ago he stated within the House that he was an Atheist? If the majority of the House chose to act illegally, unjustly, and unconstitutionally, they on that side would stand by justice and the Constitution. He begged to move the Previous Question, and he would take a division upon it.

*Previous Question* proposed, "That the Original Question be now put."—(*Mr. Labouchere.*)

Mr. GLADSTONE: Sir, I have to apologize to the House for having failed to perceive the point under discussion when I formerly rose to say a few words. Having made that apology, I pass to the Resolution itself, and here the right hon. Gentleman opposite, relying on the previous judgments of the House, has likewise relied upon previous arguments. I must say I see nothing unreasonable in that course, nor do I think it my duty to follow it. His views are unchanged with regard to the character of the Resolution that he has moved. Our views are unchanged with regard to the legal nature of the claim made by the junior

Member for Northampton, and with regard, therefore, to the nature of the act by which the House has declared its judgment on the matter. I quite admit that the Government is bound to show all the respect that it can consistently with its conviction to the judgment of the majority of the House, and though I should have dissented from the Resolution and signified my dissent in the usual manner when the Question was put from the Chair, I should not have seen any particular advantage in challenging the formal judgment of the House by a division. The senior Member for Northampton is perfectly entitled to take his own course, and being, as I may say, the natural and legitimate representative of the case which his junior Colleague has in hand, he has moved the Previous Question, and announced his intention of taking a division upon it. If he perseveres in that course, I shall undoubtedly consider it my duty to go with him. I do not know that he will induce the majority of the House to alter its views; but I do not think the question is one which I ought to decline to meet in the usual and regular Parliamentary manner by my vote. I hope the House understands what the effect of carrying the Previous Question will be. To carry the Previous Question is to decline a renewal of the controversy upon the Resolution on the ground that it has been already sufficiently argued and debated. Were the Previous Question carried, it would be a declaration by the House which would have the effect of removing every obstacle from the way of the junior Member for Northampton, who would be in a position to exercise his own discretion about coming to the Table and taking the Oath. As one who dissents from the Resolution, I cannot refuse to vote for that Motion, although I should not have thought it necessary to make it, and should have been quite satisfied to record my dissent without asking the House to divide on the question.

SIR STAFFORD NORTHCOTE: Sir, I do not think that it would be reasonable for me to remain entirely silent after what has been said; but I am sure that it is not the wish of the House that we should renew or extend the debate upon this question. The grounds on which the House has hitherto proceeded have been grounds often travelled over, and which I see no reason for myself abandoning or expecting the House to abandon. It will be in the remembrance of the House that the opinion that Mr. Bradlaugh, after what had taken place when he was originally elected and first came to the House to take his seat, ought not to be permitted to go through the form of repeating the words of the Oath came from a Select Committee of this House. The recommendation of the Committee was accepted by the House, and another form of proceeding was suggested. When the mode of proceeding by Affirmation was found not to hold water, the question was again raised as to Mr. Bradlaugh being allowed to take the Oath or to go through the form of taking the Oath. The House then considered that they had still before them the original statement of Mr. Bradlaugh on which the opinion of the Committee was founded, and that what he had said amounted to a distinct intimation conveyed to the House that he held the Oath to be not binding, and the words to be unmeaning. These proceedings have all been, as we regard them, parts of one transaction, and I cannot suppose that the House would change its views. But we have to remember what the right hon. Gentleman has pointed out would be the effect of carrying the Previous Question on this occasion. If the hon. Gentleman comes up to the Table and proposes to take the Oath, you, Mr. Speaker, would be waiting for instructions from the House, and if no such instructions were given it would be difficult to say that any objection could be offered to his being permitted to do so. Therefore, it is necessary that the House should give instructions. It is not that by voting the Previous Question that we put the matter aside. Voting the Previous Question is, in fact, the same thing as negativing the Motion, and is clearly the same thing as saying that we ought to allow Mr. Bradlaugh to take the Oath. That being the case, I think there is no occasion to prolong the controversy, and I hope the House will lose no time in coming to a division.

MR. RITCHIE said, he wished to reply to an observation made by Mr. Bradlaugh at the Bar. He should be very glad to modify or withdraw any of the statements which he had made about Mr. Bradlaugh, if he could do so conscientiously; but he was compelled to adhere to every statement which he had made concerning him. The hon. Member stated that he had given a quotation from a speech delivered by him 15 years ago without stating that at the head of the paper in which the speech appeared it was notified that he was not responsible for what was published. In the pamphlet from which he had taken the extract there was no such notification. Had there been, he would have mentioned it. The notification, however, could have had no application to what the hon. Gentleman admitted was an extract from a speech delivered by him. The hon. Member stated also that he (Mr. Ritchie) had accused him of having been convicted of distributing filthy literature, but had omitted to repeat the remarks made by the Judge. His statement was, that in consequence of a legal quibble the hon. Member escaped punishment for having distributed obscene literature. Mr. Bradlaugh was tried and convicted by a jury, and would have been sentenced had he not raised the question that the obscenity was not recited in the indictment, and it was in consequence of that he escaped punishment. He had nothing to apologize for or to withdraw.

Mr. NEWDEGATE pointed out that if the Previous Question were carried, Mr. Bradlaugh might come into the House late at night when it was nearly empty, and unable to defend its own dignity by vindicating its right to exercise jurisdiction over his case. He would remind hon. Members of the words used in the House of Lords by the Duke of Argyll with reference to a document which Mr. Bradlaugh issued last year, and in which he appealed to the people against the House of Commons. The noble Duke said that, in his opinion, the House would be wanting in regard for its own position if it should fail to repress any such expressions of contempt for the House of Commons which exercised supreme authority over its own affairs.

Sir HARDINGE GIFFARD: Sir, I think it is very desirable that the House should quite understand what it is doing; and I, for one, desire to ask you, Mr. Speaker, whether it is a fact that, in the event of the Previous Question being carried, Mr. Bradlaugh will then be permitted to take the Oath? I can hardly suppose that the great number of hon Members opposite who, on previous occasions, have expressed the highest possible abhorrence of what they have described to be a profanation of the Oath, would avail themselves of the exceptional condition of the House to pass by what it has on several occasions determined, and what last night it determined in no insignificant way to be its will. If forcing a division at once would do that which has been deprecated on both sides of the House, I could understand the impatience of some hon. Members for a division. It is generally understood that the effect of the Previous Question being carried will be that you will permit Mr. Bradlaugh to go through the form of taking the Oath. It is, therefore, very desirable that there should be no doubt about the question before we go to a division. I only wish to say one word in reference to a statement made by Mr. Bradlaugh—to the effect that the recent judgment of the House of Lords was an affirmation by the Lord Chancellor that he was entitled to take the Oath. I need not say I do not concur in that view. There seems to be some doubt whether I am capable of expressing an impartial opinion; but I think that if some hon. Members were more acquainted with Courts of Law they would admit that it was possible for an advocate to argue points of law, and yet to speak sincerely on the question. I only wish to point out that the decision given by the Courts is simply a decision that the person who brought the action was not entitled to bring the action. No other question was raised, and, therefore, I hope that hon. Members will not be misled into the belief that Mr. Bradlaugh would take the Oath with the sanction and authority of the Lord Chancellor.

Mr. SPEAKER: In answer to the question of the hon. Member for Launceston, I have to say that, in the event of this Resolution being set aside by the Previous Question, there would be no Resolution before the House adverse to the operation of the law by which the hon. Member for Northampton would undoubtedly be entitled to take the Oath.

Mr. BERESFORD HOPE said, Mr. Bradlaugh had very candidly, but not for himself very judiciously, admitted, in what he had just said, that if the Affirmation Bill had passed he would have taken his seat in a manner more agreeable to himself; but that, as a last resort, he would take the Oath which he abhorred—that was to say, he would go through the form of repeating the words of an Oath which he declared had no binding effect on his conscience. If, in the face of that renewed and present declaration, the House now permitted Mr. Bradlaugh to take the Oath, it would be passing a condemnation on the Oath itself as being a meaningless form of words.

Mr. O'DONNELL said, that a less creditable stratagem was never adopted by any Ministry than that which was now attempted to be played off upon the House. It was quite evident that arrangements had been entered into by the Party who, on due notice, was beaten the previous night, in order to snatch an unworthy victory from a surprised and out-manœuvred Legislature. It would seem that a fore-knowledge—he would not say a guilty fore-knowledge—of what was to be attempted that day had been circulated among the defeated Party of last night; and while a large number of Members who believed that, according to the usual practice of Parliament, a vote of the House of Commons fairly arrived at would be honourably observed, were temporarily absent upon this unexpected occasion, it was clear that the battalions which followed the right hon. Member for Mid Lothian and the non-juring Member for Northampton—those two Leaders of the Liberal Party—were in full force to-night. The Premier, in his statement, had endeavoured to give the House to understand that by voting the Previous Question the House was prejudging nothing, was preventing nothing, was compromising nothing, and that hon. Members could honourably and consistently, with a due regard to the vote of the House, support the Previous Question. However, it occurred to an hon. and learned Gentleman on the Front Opposition Bench (Sir Hardinge Giffard) to ask the Speaker a question; and the result had been to expose, in the clearest possible manner, the nature of the step into which the House was sought to be entrapped. The House had deliberately resolved to reject a Bill by which avowed Atheists would have the option of affirming or taking the Oath; and now, by way of respecting the solemn decision of the House, arrived at after long and careful debate, and after the most surprising and yet most deserved defeat which even they had received in the course of their manœuvres on this question, the Government were desirous of deliberately allowing this avowed Atheist to profane the Oath, and so involve the House in complicity with an abominable impiety. It was incumbent upon the consciences of all honourable men, at least, to give time for the country to express its opinion upon this attempt to force the House to permit such a profanation. He had no doubt of the opinion of the country on the subject. It was evident that the Treasury Benches were in search of new worlds to conquer; and, after having illustrated how to carry on war on the principles of peace, they were now seeking to astonish an enlightened world by advancing religion on the principles of Infidelity. On that side of the House they must decline to follow the Government in that application of their varied ingenuity. There should be limits to the exercise of the option which the Government had taken to themselves of getting off and taking on at their pleasure their Ministerial responsibilities as a Government. This plan of making everything an open question might be a convenient one for a Cabinet that appeared to have no principle but that of sticking to their places; but it was not for the House to lend its countenance to a practice at variance with all Constitutional principles, and also at variance with the honest instincts of the British people. He did not know whether they were now in the presence of that transmigration of spirit in the political existence of the Prime Minister of which the right hon. Gentleman spoke in 1866 after his rejection by the University of Oxford, when he threatened to take revenge on his political opponents; but it was to be regretted that he could not find some means of satisfying his revenge on the great historical Party with which he was once connected without compromising the fundamental principles of Christian morality and of the Constitution. He had risen simply to state that it was his intention, if he could carry it out, to secure that no snatch or snap vote should be taken on this question; and that if there was any fear of last night's decision being overthrown by a species of plot, whether concocted inside or outside that House, he trusted means would be taken to provide for the House and the country an opportunity of considering this new attempt by means of an evasion, characteristic enough in itself, to overturn the deliberate decision of Parliament.

Question put.

The House *divided*:—Ayes 271; Noes 165: Majority 106.

AYES.

Alexander, Colonel C.
Allsopp, C.
Amherst, W. A. T.
Ashmead-Bartlett, E.
Aylmer, Capt. J. E. F.
Bailey, Sir J. R.
Balfour, A. J.
Barne, Col. F. St. J. N.
Barry, J.
Barttelot, Sir W. B.
Bateson, Sir T.
Beach, rt. hon. Sir M. H.
Beach, W. W. B.
Bellingham, A. H.
Bentinck, rt. hn. G. C.
Beresford, G. De la P.
Biggar, J. G.
Birkbeck, E.
Blackburne, Col. J. I.
Blake, J. A.
Bourke, rt. hon. R.
Brassey, H. A.
Broadley, W. H. H.
Brodrick, hon. W. St. J. F.
Brooke, Lord
Brooks, W. C.
Bruce, Sir H. H.
Bruce, hon. T. C.
Brymer, W. E.
Bulwer, J. R.
Burghley, Lord
Buxton, Sir R. J.
Callan, P.
Campbell, J. A.
Carden, Sir R. W.
Cartwright, W. C.
Castlereagh, Viscount
Cecil, Lord E. H. B. G.
Chaine, J.
Chaplin, H.
Christie, W. L.
Churchill, Lord R.
Clarke, E.
Clive, Col. hon. G. W.
Colebrooke, Sir T. E.
Collins, T.
Colthurst, Col. D. La T.
Compton, F.
Coope, O. E.
Corbet, W. J.
Corry, J. P.
Cotton, W. J. R.
Creyke, R.
Cross, rt. hon. Sir R. A.
Cubitt, rt. hon. G.
Dalrymple, C.
Davenport, H. T.
Davenport, W. B.
Dawnay, Col. hon. L. P.
Dawnay, hon. G. C.
Dawson, C.
De Worms, Baron H.
Dickson, Major A. G.
Digby, Col. hon. E. T.
Dixon-Hartland, F. D.
Donaldson-Hudson, C.
Douglas, A. Akers-
Dundas, hon. J. C.
Dyke, rt. hn. Sir W. H.
Ebrington, Viscount
Egerton, hon. A. de T.
Egerton, hon. A. F.
Elcho, Lord
Elliot, Sir G.
Emlyn, Viscount
Ennis, Sir J.
Estcourt, G. S.
Ewart, W.
Ewing, A. O.
Fairbairn, Sir A.
Feilden, Lieut.-General R. J.
Fellowes, W. H.
Filmer, Sir E.
Finch, G. H.
Fitzwilliam, hn. H. W.
Fletcher, Sir H.
Floyer, J.
Folkestone, Viscount
Forester, C. T. W.
Foster, W. H.
Fowler, R. N.
Fremantle, hon. T. F.
French-Brewster, R. A. B.
Freshfield, C. K.
Gardner, R. Richardson-
Garnier, J. C.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Giles, A.
Glyn, hon. S. C.
Gooch, Sir D.
Gore-Langton, W. S.
Gorst, J. E.
Grantham, W.
Gray, E. D.
Greene, E.
Greer, T.
Gregory, G. B.
Guest, M. J.
Halsey, T. F.
Hamilton, right hon. Lord G.
Hamilton, Lord C. J.
Hamilton, I. T.
Harrington, T.
Harvey, Sir R. B.
Hay, rt. hon. Admiral Sir J. C. D.
Henry, M.
Herbert, hon. S.
Hicks, E.
Hildyard, T. B. T.
Hill, Lord A. W.
Hinchingbrook, Visc.
Holland, Sir H. T.
Home, Lt.-Col. D. M.
Hope, rt. hn. A. J. B. B.
Howard, E. S.
Hubbard, rt. hon. J. G.
Jerningham, H. E. H.
Kennard, Col. E. H.
Kennard, C. J.
Kennaway, Sir J. H.
Kenny, M. J.
King-Harman, Colonel E. R.
Knight, F. W.
Knightley, Sir R.
Knowles, T.
Lalor, R.
Lawrance, J. C.
Lawrence, Sir T.
Leahy, J.
Leamy, E.
Lechmere, Sir E. A. H.
Leeman, J. J.
Legh, W. J.
Leigh, R.
Leighton, S.
Lennox, rt. hon. Lord H. G. C. G.
Lever, J. O.
Levett, T. J.
Lewis, C. E.
Lewisham, Viscount
Loder, R.
Long, W. H.
Lopes, Sir M.
Lowther, rt. hon. J.
Lowther, hon. W.
Lusk, Sir A.
Lyons, R. D.
Macartney, J. W. E.
M'Carthy, J.
M'Coan, J. C.
Macfarlane, D. H.
M'Garel-Hogg, Sir J.
Mac Iver, D.
M'Kenna, J. N.
Macnaghten, E.
Makins, Colonel W. T.
Martin, P.
Marum, E. M.
Master, T. W. C.
Matheson, Sir A.
Maxwell, Sir H. E.
Mayne, T.
Meldon, C. H.
Metge, R. H.
Miles, Sir P. J. W.
Miles, C. W.
Mills, Sir C. H.
Monckton, F.
Moore, A.
Morgan, hon. F.
Moss, R.
Mowbray, rt. hon. Sir J. R.
Mulholland, J.
Murray, C. J.
Newdegate, C. N.
Newport, Viscount
Nicholson, W. N.
Noel, rt. hon. G. J.
North, Colonel J. S.
Northcote, rt. hn. Sir S. H.
Northcote, H. S.
O'Beirne, Col. F.
O'Brien, W.
O'Connor, A.
O'Connor, T. P.
O'Donnell, F. H.
O'Kelly, J.
Onslow, D.
O'Shea, W. H.
Parker, C. S.
Parnell, C. S.
Patrick, R. W. Cochran-
Pease, Sir J. W.
Peek, Sir H. W.
Pell, A.
Pemberton, E. L.
Percy, right hon. Earl
Percy, Lord A.
Phipps, C. N. P.
Phipps, P.
Plunket, rt. hon. D. R.
Power, R.
Price, Captain G. E.
Puleston, J. H.
Raikes, rt. hon. H. C.
Rankin, J.
Rendlesham, Lord
Repton, G. W.
Ridley, Sir M. W.
Ritchie, C. T.
Rolls, J. A.
Ross, A. H.
Ross, C. C.
Round, J.
St. Aubyn, W. M.
Salt, T.
Sclater-Booth, rt. hn. G.
Scott, Lord H.
Scott, M. D.
Selwin-Ibbetson, Sir H. J.
Severne, J. E.
Sexton, T.
Sheil, E.
Smith, rt. hon. W. H.
Smith, A.
Smithwick, J. F.
Stafford, Marquess of
Stanhope, hon. E.
Stanley, rt. hon. Col. F.
Stanley, E. J.
Sullivan, T. D.
Sykes, C.
Talbot, J. G.
Thomson, H.
Thornhill, T.
Thynne, Lord H. F.
Tollemache, hon. W. F.
Tollemache, H. J.

Tomlinson, W. E. M.
Torrens, W. T. M'C.
Tottenham, A. L.
Tyler, Sir H. W.
Vivian, Sir H. H.
Wallace, Sir R.
Warburton, P. E.
Warton, C. N.
Watkin, Sir E. W.
Welby-Gregory, Sir W.
Whitley, E.
Whitworth, B.
Williams, General O.
Wilmot, Sir H.
Wilmot, Sir. J. E.
Wolff, Sir H. D.
Wortley, C. B. Stuart-
Wroughton, P.
Wyndham, hon. P.
Wynn, Sir W. W.
Yorke, J. R.

TELLERS.

Crichton, Viscount
Winn, R.

## NOES.

Acland, Sir T. D.
Agnew, W.
Ainsworth, D.
Amory, Sir J. H.
Armitage, B.
Armitstead, G.
Arnold, A.
Asher, A.
Ashley, hon. E. M.
Balfour, rt. hon. J. B.
Balfour, J. S.
Barclay, J. W.
Barran, J.
Bass, Sir M. A.
Baxter, rt. hon. W. E.
Beaumont, W. B.
Bolton, J. C.
Borlase, W. C.
Brand, H. R.
Brett, R. B.
Briggs, W. E.
Bright, J. (Manchester)
Broadhurst, H.
Brogden, A.
Brown, A. H.
Bruce, rt. hon. Lord C.
Bruce, hon. R. P.
Bryce, J.
Buchanan, T. R.
Buszard, M. C.
Caine, W. S.
Campbell-Bannerman, H.
Causton, R. K.
Chamberlain, rt. hn. J.
Cheetham, J. F.
Childers, rt. hn. H.C.E.
Clarke, J. C.
Clifford, C. C.
Cohen, A.
Collings, J.
Cotes, C. C.
Courtney, L. H.
Cowen, J.
Craig, W. Y.
Cross, J. K.
Davies, R.
Davies, W.
Dilke, rt. hn. Sir C. W.
Dodds, J.
Dodson, rt. hon. J. G.
Duff, R. W.
Egerton, Admiral hon. F.
Elliot, hon. A. R. D.
Farquharson, Dr. R.
Fawcett, rt. hon. H.
Ferguson, R.
Firth, J. F. B.
Fitzmaurice, Lord E.
Flower, C.
Foljambe, C. G. S.
Forster, Sir C.
Forster, rt. hon. W. E.
Fowler, H. H.
Fowler, W.
Fry, L.
Gladstone, rt. hn. W.E.
Gladstone, H. J.
Gladstone, W. H.
Gourley, E. T.
Gower, hon. E. F. L.
Grant, A.
Grosvenor, right hon. Lord R.
Hamilton, J. G. C.
Harcourt, rt. hon. Sir W. G. V. V.
Hardcastle, J. A.
Hartington, Marq. of
Hayter, Sir A. D.
Henderson, F.
Heneage, E.
Herschell, Sir F.
Hibbert, J. T.
Hill, T. R.
Holden, I.
Hollond, J. R.
Holms, J.
Howard, G. J.
Howard, J.
Illingworth, A.
Inderwick, F. A.
James, Sir H.
James, C.
James, W. H.
Jenkins, Sir J. J.
Kensington, rt. hn. Lord
Lambton, hon. F. W.
Lawson, Sir W.
Leake, R.
Leatham, E. A.
Leatham, W. H.
Lefevre, right hon. G. J. S.
Lloyd, M.
Lubbock, Sir J.
M'Arthur, A.
Mackie, R. B.
M'Laren, C. B. B.
Macliver, P. S.
Maitland, W. F.
Mappin, F. T.
Maskelyne, M. H. Story-
Mellor, J. W.
Monk, C. J.
Morgan, rt. hon. G. O
Morley, A.
Morley, J.
Palmer, C. M.
Palmer, J. H.
Pease, A.
Peddie, J. D.
Philips, R. N.
Potter, T. B.
Powell, W. R. H.
Pulley, J.
Ramsden, Sir J.
Reed, Sir E. J.
Reid, R. T.
Rendel, S.
Richardson, T.
Roberts, J.
Robertson, H.
Russell, G. W. E.
Russell, Lord A.
Rylands, P.
Samuelson, B.
Samuelson, H.
Seely, C. (Nottingham)
Sellar, A. C.
Shaw, T.
Shield, H.
Simon, Serjeant J.
Slagg, J.
Smith, E.
Smith, Lt.-Col. G.
Spencer, hon. C. R.
Stanley, hon. E. L.
Stansfeld, rt. hon. J.
Stevenson, J. C.
Storey, S.
Summers, W.
Talbot, C. R. M.
Taylor, P. A.
Tennant, C.
Tillett, J. H.
Trevelyan, rt. hn. G. O.
Villiers, rt. hon. C. P.
Waddy, S. D.
Waugh, E.
Webster, J.
Whitbread, S.
Williams, C. S. E.
Williamson, S.
Wills, W. H.
Wilson, Sir M.
Wodehouse, E. R.
Woodall, W.

TELLERS.

Butt, C. P.
Labouchere, H.

Original Question put, and *agreed to.*

*Resolved*, That, having regard to the Resolutions of this House of the 22nd June 1880, of the 26th April 1881, and of the 7th February and 6th March 1882, and to the Reports and Proceedings of two Select Committees therein referred to, Mr. Bradlaugh be not permitted to go through the form of repeating the words of the Oath prescribed by the Statutes 29 Vic. c. 19, and 31 and 32 Vic. c. 72.

## *QUESTIONS.*

### POOR LAW (IRELAND)—OUTDOOR RELIEF—THE UNIONS OF GLENTIES AND DUNFANAGHY.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, What is the money value of the outdoor relief (if any) which was actually administered in the Unions of Glenties and Dunfanaghy, respectively, during the last three months; among how many persons it was distributed; and, what proportion the persons so relieved bear to the destitute population of these Unions?

Mr. TREVELYAN, in reply, said, the money value of the outdoor relief granted during the last three months in the Glenties Union was £145. The average weekly number of persons relieved was 186, and the total number of persons who received relief during the period was 221. It was impossible to say what proportion this number bore to the total destitute poor of the district. The Local Government Board were not aware of any outdoor relief having been granted during the period named in Dunfanaghy Union. A supply of meal was sent to Tory Island to meet any cases of emergency; but no Return had been received as to the persons relieved.

Colonel COLTHURST asked whether the Local Government Board would urge on the Dunfanaghy Guardians the necessity of exercising their powers in this respect?

Mr. TREVELYAN said, that no complaints had been received yet; but the Local Government Board would be glad to consider the question.

Mr. O'BRIEN asked whether the Chief Secretary had seen a letter from Father M'Fadden, stating that the relieving officer told him he had instructions from the Guardians to offer nothing but the workhouse?

[No reply.]

## BRITISH GUIANA—ACTION OF THE QUARANTINE BOARD.

Sir JOHN LUBBOCK asked the Under Secretary of State for the Colonies, Whether his attention has been called to the action of the Quarantine Board of British Guiana, in suddenly altering their regulations so as to enable them entirely to exclude from the Colony a cargo of rice, the staple food of the Indian immigrant population; whether such action was approved by the Secretary of State; and, whether for the guidance of shipowners and importers, he can lay upon the Table any Correspondence showing under what circumstances, and especially on what medical evidence and advice, the cargo was condemned?

Mr. EVELYN ASHLEY: Sir, the cargo of rice was brought in a vessel called the *Sheila*, which had conveyed Coolies from Calcutta to Surinam. In the course of the voyage a serious outbreak of cholera had taken place on board. The Quarantine Board was advised by their medical officer that the cargo was infected and dangerous. They had no power, under their existing laws, to forbid it being landed, or to keep the ship more than 14 days in quarantine; so they, in concert with the Court of Policy, passed a Regulation empowering them to impose and renew periods of quarantine indefinitely. The Secretary of State has expressed the opinion that it would have been better to have taken power to prohibit the landing of the cargo, and to have notified to the owners what they had to expect, and not left them in doubt whether the landing would ultimately be allowed or not. The Governor has been requested to forward the medical evidence on which the Board acted; and when this is received the Correspondence will be laid upon the Table.

## ARMY PENSIONERS—CASE OF CHARLES M'FADDEN.

Mr. KENNY asked the Secretary of State for War, If it is a fact that Charles M'Fadden, late private of the 57th Foot, regimental No. 2076, an out-pensioner of Her Majesty's Royal Hospital at Chelsea, having the Crimean medal and clasps for Inkerman and Sebastopol, the Turkish medal, the New Zealand medal, and long service and good medal, as well as four good conduct badges and a certificate for "very good conduct," and who is now in the fifty-sixth year of his age, has been refused two years' arrears of pension, amounting to £40 4*s*., on the ground that he was resident in a foreign country during the accumulation of the arrears, viz., from October 1880 till December 1882; whether M'Fadden is entitled to reckon his service as twenty-one years and nineteen days towards pay and pension, twelve years and five months of which time he served abroad; if, as M'Fadden was over fifty years of age when he went to a foreign country for the two years mentioned, he was not liable by Statute to have been called out for service at home in the event of a national emergency; and, whether, under all these circumstances, he will be now permitted to receive his arrears of pension, he being at the present time threatened with the loss of the sight of both eyes?

The Marquess of HARTINGTON: Sir, a Regulation has recently been made allowing pensioners over 50 years of age to reside out of the country; and I propose to apply this Regulation to the case of M'Fadden, who will, therefore, receive the arrears.

### PARLIAMENT—CONTAGIOUS DISEASES ACTS—LEGISLATION.

LORD RANDOLPH CHURCHILL asked the Secretary of State for War, Whether it is the intention of Her Majesty's Government, without delay, to introduce a Bill to give effect to the Resolution arrived at on Friday 20th April relative to the Contagious Diseases Acts; and, whether it is the intention of Her Majesty's Government, pending further legislation, to continue to enforce the Law, or whether they will consider themselves entitled to exercise a dispensing power, and to issue instructions to the authorities to undertake no further prosecutions under the Act?

THE MARQUESS OF HARTINGTON: Sir, in consequence of the Resolution passed by the House of Commons on April 20, in reference to the Contagious Diseases Acts, we propose, as soon as possible, to introduce a short Bill providing for the following main points:—namely, (1.) To repeal all sections of the Acts of 1866 and 1869 which direct periodical or compulsory examination of women, including all police action. (2.) That any woman voluntarily presenting herself at a certified hospital may, at her own request, be examined, and, if it be deemed necessary by the surgeon, may be admitted into such hospital and detained there in accordance with the provisions of the present Acts. (3.) That, in places under the Act where no certified hospitals exist, any woman may, at her own request, be examined by a duly appointed surgeon, and, if it be deemed necessary by the surgeon, may be admitted into a certified hospital and detained there in accordance with the provisions of the present Acts. (4.) That anything in the present Acts not inconsistent with the above should be retained. This is all the legislation which appears to be absolutely requisite in the present Session. It will not, however, exclude a consideration by the Government of the whole question, with a view either to legislation next Session on the lines of the recommendations of the Royal Commission of 1871, or of the Bill of 1872, or, possibly, to the introduction of some further provisions into a Bill which is about to be presented in the House of Lords for the amendment of the law relating to the protection of young girls. As, however, it is uncertain when the Bill the provisions of which I have indicated can be passed, it was necessary to consider what action should be taken at once. It appears that the powers conferred on the Admiralty and the Secretary of State for War by the Acts are, in the main, permissive, and not obligatory. The operation of the Acts hinges on the appointment of visiting surgeons at the places subjected to the Acts, and on the employment of the Metropolitan Police. All the expenses of the administration of the Acts are to be defrayed by the Admiralty and the War Office from money to be voted by Parliament. After the vote of April 20, there exists no reasonable probability that the House of Commons will vote the fund necessary for the administration of the compulsory examination sections of the Acts. Instructions have, therefore, been given for the withdrawal of the Metropolitan Police. The visiting surgeons will be for the present retained for the purpose of providing a legal means of admitting women who desire to enter a certified hospital, who are to be subject to detention under the 17th section of the Act of 1866, which authorizes a woman voluntarily to subject herself to examination. Amended Estimates providing for the expenses of the administration of the Acts will be substituted for those now contained in the Navy and Army Estimates; and the discussion of these Estimates on the introduction of the Bill will probably give the most convenient opportunity for entering into any further details on the subject.

LORD RANDOLPH CHURCHILL asked whether it was not the fact that, in the recent debate on this subject, the noble Marquess had expressed the opinion that the present Acts were absolutely necessary for the efficiency of the Army; whether that was not also the opinion of the First Lord of the Admiralty as regarded the Navy; and, if so, whether it was now the opinion of the War Office and the Admiralty that the Regulation of which the noble Marquess had given Notice would provide for the efficiency of the Army and Navy?

THE MARQUESS OF HARTINGTON said, he did not think the noble Lord had correctly quoted the statement. He did not say that the Acts were absolutely necessary to the efficiency of the Army or Navy, but that he thought they had tended to increase the efficiency of the Army and Navy.

Sir H. DRUMMOND WOLFF asked when the Bill for the better protection of young persons would be brought in? The removal of the police charged with the execution of the Acts would render the need for the Bill all the more urgent.

Sir WILLIAM HARCOURT said, that the Bill was ready, and would, he hoped, be introduced immediately after Whitsuntide.

Mr. WARTON asked the Secretary of State for War, Whether lately at Cairo, in one battalion about 560 strong, 75 men were laid up at one time in consequence of venereal disease?

The Marquess of HARTINGTON: Sir, the Returns of sick at Cairo are not given by battalions; but on the 13th of April the soldiers of the force at Cairo under treatment for venereal disease amounted to 2·65 of the strength, which would only give an average of about 17 to a battalion of 650 men. By a later Return received yesterday, it appears that of the whole force in Egypt those in hospital for venereal disease were about 3½ per cent of the force.

Mr. WARTON asked the Secretary of State for War, Whether it is true that the Military Authorities in Ireland lately made a strong application to the Government to the effect that the Contagious Diseases Acts be extended to Dublin, on the ground that a large proportion of its garrison was rendered inefficient by venereal disease?

The Marquess of HARTINGTON: Sir, in December last the military authorities in Ireland represented strongly the great prevalence of venereal disease among the garrison of Dublin, and urged that the provisions of the Contagious Diseases Acts should be extended to that City. It was not considered expedient to propose legislation for such an extension; but I have arranged with the Governors of the Westmoreland Lock Hospital to offer additional accommodation to diseased women; and I hope that this measure may have some result in improving the health of the garrison.

## IRELAND — STATE-AIDED EMIGRATION.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the fact that Mr. Tuke's Committee, in conducting the State-aided emigration from Belmullet, have sent away numbers of persons comparatively well-to-do, who took with them considerable sums of ready money, and left unpaid debts due to local traders, and whether the Committee persisted in taking this course, after the facts had been made known to them; whether numbers of other persons, steeped in poverty, who applied to be emigrated, have been left behind, and by what influence it has happened that their claims have been rejected, while the applications of the less poor have been successful; whether it is true that among the persons emigrated by the "Phœnician" on the 27th ult. was a young gentleman, Mr. Richard Bingham, son of Mr. Denis Bingham, J.P. of Bingham Castle, and whether, after the Viceroy, Earl Spencer, had paid a visit to his father, this young gentleman was provided on board the ship with special accommodation, and has obtained his passage gratis; whether thirty-six persons from the Newport Union have been left behind, in consequence of mismanagement by the Committee; and, on complaining, have been threatened with forfeiture of their passage tickets; whether the Government will afford grants of public money in aid of a system so conducted; and, whether inquiry will be made as to the circumstances under which the local relieving officers recommended the persons chosen?

Mr. TREVELYAN: Sir, I have been favoured with a Memorandum on this subject by Mr. Tuke's Committee. The Committee took every possible precaution to satisfy themselves as to the eligibility of the applicants. It is true that at Belmullet some of the local traders complained that assistance had been promised to certain persons able to defray the cost of emigration; but, on inquiry into these cases, it was found that in no single instance had these persons sufficient means to enable them to pay for the emigration of the whole family. The Committee could not be in any way responsible for the payment of debts of the emigrants. No persons were rejected or refused on account of poverty; but, unfortunately, some of the poorest, by reason of their large and weak families, were so unfitted for emigration that it was impossible for the Committee to undertake the grave responsibility of sending them to a strange country. With regard to Mr. Richard Bingham, his passage is paid for from private sources; it is in no way State-aided; and the suggestion that Lord Spencer's visit to his father had anything to do with it is wholly without foundation. It is true that 36 persons from Newport Union were left behind on the 27th of April; but this occurred through stress of weather, and through misconduct on the part of the owner of a hooker. They will be embarked to-morrow. Meanwhile, they have been lodged in Belmullet at the expense of Mr. Tuke's Committee. They are not known to have made any complaints; on the contrary, they have expressed themselves as well pleased with their treatment.

Mr. O'DONNELL: The right hon. Gentleman states that a number of intending emigrants were rejected in consequence of their being very poor and having feeble families. Have any steps been taken for the relief of those intending emigrants so rejected; and are the Government only anxious to promote the emigration of those who are sturdy, and to discourage the emigration of all whose families which will be a burden to the country in which they remain?

Mr. TREVELYAN: I do not know anything in the hon. Member's Question which really requires an answer, except for me to repeat that there are, unfortunately, some families so burdened with small children that it would be cruel to emigrate them. There will be no change in the operation of the Poor Law in consequence of the action of Mr. Tuke's Committee.

Mr. O'KELLY: Will the right hon. Gentleman say whether these poor people will be compelled to go into the workhouse, or will they be allowed outdoor relief?

[No reply.]

Mr. O'DONNELL asked if the right hon. Gentleman would inquire whether this refusal to emigrate poor people having families was in consequence of any protest from the United States Government against the wholesale deportation of Irishmen to America? He had seen a statement to this effect in the public Press.

Mr. TREVELYAN said, that that was not so. They considered that it would not be proper to emigrate any person to the United States who had not letters from friends or relatives already settled there.

Mr. T. P. O'CONNOR begged to repeat the Question put by the hon. Member for Roscommon (Mr. O'Kelly), whether these poor people, who were admittedly unfit for emigration, would be refused outdoor relief?

Mr. TREVELYAN: I have already given an answer to that Question.

Mr. T. P. O'CONNOR: What was it?

Mr. TREVELYAN: In consequence of the operation of Mr. Tuke's Committee, no change will be made in the operation of the Poor Law.

Subsequently,

Mr. T. P. O'CONNOR, observing the noble Lord the Under Secretary of State for Foreign Affairs in his place, wished to ask him, with reference to the statement of the Chief Secretary for Ireland, that only those families were sent abroad from Ireland who had able children, while feeble families were left at home to starve, whether any representation had come from the United States Government as to the character of the emigration to America which was being carried on under the control of the English Government?

Lord EDMOND FITZMAURICE said, he required Notice of the Question.

Mr. MAC IVER asked the Chief Secretary to the Lord Lieutenant, whether it was not the fact that the United States authorities absolutely declined to receive infirm people; and whether, if sent to America, both young and old would not be sent back, and only those able to support themselves allowed to remain?

Mr. TREVELYAN said, that a portion of this Question should be addressed to the Under Secretary of State for Foreign Affairs. He would be glad to answer any part that came within his province, if the hon. Member would give Notice of the Question.

Mr. T. P. O'CONNOR asked the right hon. Gentleman whether he had not already stated that the only people who were being emigrated from Ireland were those who had families able to support them in America?

Mr. TREVELYAN: I spoke of families which had a due proportion of workers and non-workers,

### PUBLIC HEALTH (IRELAND) ACT, 1878, 41 & 42 VIC. c. 52, s. 149—INFECTIOUS DISEASES—CASE OF BARTHOLOMEW ROE.

Mr. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, If the investigation relative to the outbreak of typhus fever in Jones's Court, Dublin, has terminated, and with what result?

Mr. TREVELYAN: Sir, this matter has been inquired into as fully as possible by the Medical Inspector of the Local Government Board, and copies of his Reports have been furnished by the Government to the Corporation of Dublin. They go to show that, while it is to be regretted that the dispensary doctor, who was a newly-appointed officer, and not familiar with all the provisions of the Public Health Act, did not promptly report the nature of Roe's illness to the officer of the Corporation, who might have taken steps to prevent the holding of a wake, yet there is no reason to think that he was guilty of any wilful neglect of duty; and, as has already been stated, the weight of evidence goes to show that the fever was not spread by the wake, but by concealment on the part of those families in which the disease first appeared. There does not appear to be any manner in which the Government can further interfere usefully in the matter; but they will be interested to know what action will be taken by the Corporation?

Mr. GRAY asked if the right hon. Gentleman desired to convey an opinion that the Corporation of Dublin was in any way responsible?

Mr. TREVELYAN replied, that the medical dispensary officer ought to have reported the outbreak. He thought this medical officer was appointed by the Corporation.

Mr. GRAY: As a matter of fact, the Corporation of Dublin have nothing whatever to do with his appointment.

### MERCANTILE MARINE—LOSS OF LIFE AT SEA.

Sir JOHN HAY asked the President of the Board of Trade, If he will be good enough to supply some further information in detail of the extraordinary loss of life (shown in Parliamentary Paper, No. 143) of 3,006 of the crews of British ships during 1881, 1882; and, whether he can say that the rate is increasing or diminishing in 1883?

Mr. CHAMBERLAIN, in reply, said, the Parliamentary Paper, to which the right hon. and gallant Member had alluded, was itself merely a summary Return annually presented to Parliament, and which contained details of the shipwrecks and loss of life each year. The Return for 1882 was issued about a month since, and that Return would give all the detailed information the right hon. and gallant Gentleman wanted. The information for the present year was necessarily imperfect; and he did not feel in a position to say whether the loss of life would be as great in proportion as during the last few years.

### POOR LAW (IRELAND)—ELECTION OF GUARDIANS FOR THE SHILLELAGH UNION, CO. GALWAY.

Mr. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, If he can now state the result of his inquiries as to the Poor Law election at Shillelagh, and the refusal of the clerk of the Union to accept the nomination of Mr. James Carroll by Mr. Michael Fleming?

Mr. TREVELYAN, in reply, said, that last week he stated the Local Government Board had communicated with Mr. Michael Fleming, to see if he could give evidence with regard to the matter in question. Mr. Fleming had not yet replied to the Board's letter, and the matter remained as it was last week.

### EGYPT—AHMED BEY KHANDEEL.

Sir WILFRID LAWSON asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to a letter from Mr. Mark Napier, in the "Times" of May 3rd, in which, as counsel for Ahmed Bey Khandeel and other prisoners at Alexandria, he describes the obstacles placed in the way of defending his clients, who have already been upwards of six months in prison, on no specified charges, but, as it is believed, on a general accusation of implication in the massacres of June 11th; and, whether Her Majesty's Government will take steps to secure for them the same facilities for a fair trial which were afforded in the case of the Egyptian prisoners who were lately defended by English counsel at Cairo?

LORD EDMOND FITZMAURICE: Yes, Sir; the attention of the Secretary of State has been called to Mr. Mark Napier's letter; but the facts, as to Khandeel, were already known to him. Khandeel is in prison on a charge of being privy to the murder of certain Europeans on the 10th of June, when he occupied the post of Prefect of Police at Alexandria. His case will come before the Commission sitting at Alexandria, which, after examining into the charges and hearing the witnesses, will embody the conclusions at which it has arrived in a *dossier*, and send them to the Court Martial at Alexandria which tries the case. The proceedings, both of the Commission and the Court Martial, are watched by English officers, and on the Court Martial there are two European officers, one of them an Englishman. The complaint made by Mr. Napier is that, as counsel to Ahmed Khandeel, he has not been allowed access to his client previous to the preparation of the *dossier* of the case by the Commission as a preliminary to the trial. The Secretary of State is informed by Lord Dufferin that this would be contrary to the French procedure, which is in use in Egypt; and he has, consequently, declined to interfere in the matter, as he cannot undertake the responsibility of controlling the Egyptian tribunals, when dealing with persons who are accused, not of political crimes, but of murder, arson, theft, and burglary; and his Excellency altogether denies that the cases of Arabi and of Ahmed Khandeel have any connection, or that the instructions received in regard to the trial of the former can be held to apply to the latter.

LORD RANDOLPH CHURCHILL: I beg to ask the noble Lord whether one of the counts in the indictment against Arabi Pasha was not that he was privy to the massacres at Alexandria on the 11th of June, which is precisely the crime with which Ahmed Bey and other prisoners were charged?

LORD EDMOND FITZMAURICE: Yes; these charges against Arabi Pasha were carefully gone into, and the inquiry was watched by a distinguished English officer specially deputed for the purpose. The charges not being proved, they were withdrawn, and Arabi was not condemned upon them.

LORD RANDOLPH CHURCHILL: Is it not the case that, owing to the influence of the Secretary of State, English counsel were allowed to have access to Arabi, to enable him to disprove the charges; and, if Ahmed Bey and the other prisoners were detained under similar charges, why was it the Secretary of State did not use his influence in a similar way?

LORD EDMOND FITZMAURICE: The noble Lord is under a misapprehension. The trial of Arabi was before a different tribunal altogether. That tribunal has been dissolved, and this is a tribunal which has been carefully arranged, with a view to secure a fair trial; and it is also watched by English officers, as I explained just now, which is owing to the action — I will not say the interference—of the English Government. This tribunal will proceed according to the ordinary law of Egypt.

LORD RANDOLPH CHURCHILL: I should like to ask whether, by the words "carefully arranged," the noble Lord meant the tribunal which is to try these men has been composed under the advice of Lord Dufferin, acting under instructions from the Secretary of State; and why, if the Secretary of State had arranged the tribunal with the Egyptian Government, he did not use his influence with that Government in the same way as in the case of Arabi that counsel should have access to the prisoners?

LORD EDMOND FITZMAURICE: I did not say carefully arranged; I said carefully arranged with a view to secure a fair trial.

SIR H. DRUMMOND WOLFF: I wish to ask why the English counsel, the charge being the same as in Arabi's case, were debarred from having access to the prisoners; and whether the Government will or will not interfere to enable Ahmed Bey to prepare his defence?

LORD EDMOND FITZMAURICE: I cannot answer that Question without Notice; but I have already answered that this tribunal is not the same tribunal. [An hon. MEMBER: What has that to do with it?] It had a great deal to do with it, because Arabi and his immediate associates come fairly under the distinction of being political prisoners. The men now referred to were charged with crimes in no sense political, but murder, burglary, arson, and theft.

Mr. GORST: Will the noble Lord state what are the precise peculiarities of the tribunal, as now "arranged," which makes the appearance of English counsel impossible, or does he object to do so?

Lord EDMOND FITZMAURICE: If the hon. and learned Member refers to Mr. Mark Napier's letter, out of which the Questions have arisen, he will find the information he desires.

Lord RANDOLPH CHURCHILL rose again, but——

Mr. SPEAKER, interposing, said. Various Questions have been already put to the noble Lord upon this matter, and many of them without Notice; and though I will not say they have been out of Order, yet I am bound to state that this practice of putting Questions without Notice is inconvenient.

Lord RANDOLPH CHURCHILL: I beg to give Notice that on Monday I shall put a Question on the subject to the Prime Minister, who is the only Minister from whom we can get information.

Mr. O'DONNELL, who rose amidst cries of "Order," asked whether the noble Lord could say whether the British officers of whom he spoke were the same as those who had supervised the trials of the alleged assassins in the Palmer case? [*Renewed cries of* "Order!"]

[No reply.]

## THE NATIONAL LIBERAL CLUB.

Sir HERBERT MAXWELL asked the Civil Lord of the Admiralty, If he is aware that the white ensign has been hoisted over the premises of the National Liberal Union at Charing Cross; and, whether this has been done by permission of the Admiralty; and, if not, whether he will give directions to prevent the regulations being violated by this and other convivial institutions?

Mr. CAMPBELL-BANNERMAN: Perhaps, Sir, I may be allowed to answer for my hon. Friend. Not having had occasion recently to pass the building occupied by the National Liberal Club, I was not aware of the fact stated in this Question. But if it is the case that the white ensign has been hoisted, I can only express, as a member of the Club, my regret that any decoration should be used which hurts the feelings of the hon. Baronet. This regret is, under Regulations, the only punishment which members of the Club may suffer, as the penalties provided by the Merchant Shipping Acts only apply to the improper use of flags afloat, and there is no restriction as to the flags which anyone may hoist on shore.

Sir HERBERT MAXWELL said, he might be showing his ignorance; but did not the Regulations of the Admiralty apply to seaport towns?

Mr. CAMPBELL-BANNERMAN said, he did not wish to add to the answer he had given, which correctly expressed the state of the law upon the subject. If the hon. Member had any further information he wished to obtain, perhaps he would be good enough to give Notice.

## THE IRISH LAND COMMISSION COURT —COURT VALUERS.

Mr. SEXTON asked the First Lord of the Treasury, with respect to the inability of the Irish Land Commission Court to deal with the mass of appeals before it, Whether he has considered, as a matter of public policy, the probable effect of continuing, in connection with the Appeal Court, the present system of Court Valuers, some of whom, after having themselves been unsuccessful applicants for the place of Sub-Commissioners, and all of whom are dependent for continued employment as Court Valuers upon such a level of appeal valuation and such a course of appeal judgments as may continue to encourage the presentation of appeals by showing a general increase of the rents decreed by the Sub-Commissioners; and, whether, with a view to restrict the number of appeals, and thereby assist the Land Commission Court to meet the demands upon it, the Government will consider the expediency of discontinuing the employment of Court Valuers in connection with the Court of Appeal, and will enable that Court to consider and decide appeals upon the material afforded by the Sub-Commission Courts, namely, the sworn evidence of the parties and their respective valuers, and the valuation arrived at in the case of each holding by the Sub-Commissioners who inspect it?

Mr. TREVELYAN: Sir, the First Lord of the Treasury wrote to the Land Commissioners on the subject of this Question; and he received a Memorandum which, perhaps, I had better read. It is as follows:—

> "The system now adopted by the Land Commissioners in re-hearing cases is to have each holding, the rent of which is the subject of appeal, valued by one or more of the Court Valuers, who are all persons selected for their special knowledge of the value of land. A special Report on each holding is made by the Valuers for the information of the Commissioners when re-hearing the case; but the Commissioners are merely assisted, not in the remotest degree bound, by this Report, in coming to a decision, and the fact that they are provided with it in no way delays their proceedings; on the contrary, it expedites them. The Commissioners re-hear all the evidence in each case given in the Court below that is presented to them, and the Report of their own Valuer materially assists them in arriving at a correct judgment. What the effect might be on the number of appeals of discontinuing the system of valuations by Court Valuers, whether to increase or diminish them, cannot possibly be estimated; but the result of such discontinuance would be that the Commissioners would be deprived of the most important aid in carrying on their work—aid which is essential to the satisfactory discharge of their functions, and which they, therefore, cannot dispense with."

The principal point in the Question, which is not adverted to in the foregoing Memorandum, appears to be that the Valuers have a personal interest in fixing rents high, in order that landlords may be induced to appeal. It might, on the same principle, be argued that Sub-Commissioners, being appointed only temporarily, have an interest in fixing rents low, in order that tenants might be induced to bring their cases into Court. The Government cannot admit either point of view, and do not see any reason to interfere with the present system on the ground suggested by the hon. Member.

## PARLIAMENT—MINISTER OF AGRICULTURE AND COMMERCE.

LORD GEORGE HAMILTON asked the First Lord of the Treasury, If any opportunity, other than that offered by the Estimates, will be given to the House for discussing the scheme under which the Lord President of the Council will, in addition to his existing duties, become the Minister for Agriculture?

MR. GLADSTONE was understood to say, in reply, that he was not aware that any other opportunity than that mentioned in the Question would be given. An Order in Council had been passed in connection with this subject, and would be laid on the Table of the House. Legislation would not be necessary.

## WESTERN ISLANDS OF THE PACIFIC — AUSTRALIAN COLONIES — ANNEXATION OF NEW GUINEA BY QUEENSLAND.

MR. O'KELLY asked the First Lord of the Treasury, Whether any representation has been made to Her Majesty's Government by the Government of Holland on the subject of the proposed annexation of New Guinea?

MR. GLADSTONE: No communication has been received from the Dutch Government on the subject to which the hon. Member refers.

## PARLIAMENT—BUSINESS OF THE HOUSE.

### MINISTERIAL STATEMENT.

MR. GLADSTONE: I wish to announce that we propose to take the Navy Estimates on Monday and the Civil Service Estimates on Thursday, when we shall propose to break off from their consideration sufficiently early to enable my right hon. Friend the Chancellor of the Duchy of Lancaster to make the necessary introductory statement in laying on the Table of the House the Landlord and Tenant Bill. We propose, too, that the first day after the Recess shall be devoted to the Civil Service Estimates. I will make, before the Recess, such further statement as I may be able with regard to the course of Business.

SIR STAFFORD NORTHCOTE: Sir, I wish to ask the Prime Minister whether he can now fix a day for the conclusion of the debate upon the Transvaal? The state of things appears to be this—The Motion of my hon. and learned Friend the Member for Chatham (Mr. Gorst) is the Main Question, upon which an Amendment has been moved by the hon. Member for Oxfordshire (Mr. Cartwright). Several other Amendments are to be moved upon the Amendment of the hon. Member for Oxfordshire should it become the Main Question, among which is one to be moved by the right hon. Gentleman the Member for East Gloucestershire (Sir Michael Hicks-Beach), which expresses dissatisfaction at the policy adopted by the Government with reference to previous events. It was understood that if the debate could be simplified and a single issue could be presented, the question might be settled in one debate; and the right hon. Gentleman at the head of the Government gave us to understand that he would be prepared to fix a day for the debate. I think that, with such information as I have been able to collect, both from answers given in the House and from such communications as I have been able to hold, that there is every reason to believe that all the Amendments now upon the Paper, and the original Motion, might be withdrawn, if the right hon. Gentleman, who has given Notice of an Amendment himself, would allow that Amendment to be taken as the Main Question. The right hon. Gentleman the Member for East Gloucestershire would be prepared, in that event, to move an Amendment upon the Resolution of the right hon. Gentleman. Such Amendment would run somewhat as follows:—

> "That the House is unable to regard the course which the Government have announced their intention to pursue with reference to the Chiefs and people of Bechuanaland as an adequate fulfilment of the obligations contracted by the Government in regard to the Native Tribes in that part of South Africa."

If the Prime Minister is able to adopt that course, a definite issue would be presented to the House, and a debate will be raised which will admit of a speedy conclusion.

Mr. GLADSTONE: Sir, the right hon. Gentleman presents this matter to me in an entirely new light. What I have understood to be the case was this. First of all, the statement is correct that I have referred to the simplification and the presentation of a single issue as the condition upon which I was prepared to say that the Government would endeavour to make some arrangement for the purpose of ending the discussion. At that time I certainly understood that the issue to be discussed was to be the issue raised by the Amendment on the Paper of the right hon. Gentleman the Member for East Gloucestershire (Sir Michael Hicks - Beach) — namely, the case of the Convention, which formed the basis of the present state of things in the Transvaal. Now, as I understand, the question is an entirely different one. It is proposed that my Amendment should become the Main Question, and that the right hon. Gentleman the Member for East Gloucestershire should move another Amendment, which has not yet appeared upon the Paper, not relating to the Transvaal Convention, but to Bechuanaland. That is a new question, which I must take a little time to consider, for I am not prepared to admit at this moment that it lies within the compass of the answer I previously gave.

Sir STAFFORD NORTHCOTE said, he would repeat the Question on Monday. He wished to know if it was then proposed to take the Customs and Inland Revenue Bill?

The CHANCELLOR of the EXCHEQUER (Mr. Childers) said, the Bill would not be taken until Monday.

## PARLIAMENT — BUSINESS OF THE HOUSE — LORDS ALCESTER AND WOLSELEY ANNUITIES BILLS.

Sir WILFRID LAWSON inquired whether the Government would proceed with Lords Alcester and Wolseley Annuities Bills before Whitsuntide?

Mr. GLADSTONE said, he could not give a positive answer; but the change which the Government had proposed—namely, that of giving a lump sum—would probably require another preliminary Committee; and he thought it would be the most convenient plan that the preliminary Committee should sit and take the Bill *pro formâ*, in order to insert the alteration. The debate on the Bill could then be taken on the Motion that the Speaker leave the Chair. If that were found to be the most convenient course the debate would probably not be taken before Whitsuntide.

## POOR RELIEF (IRELAND) BILL.

In reply to Mr. Sexton,

Mr. TREVELYAN said, that, as he understood there was a desire to raise an important discussion on the second reading of the above Bill, he would consult the convenience of hon. Members from Ireland as to the hour at which he would move the second reading.

## *ORDER OF THE DAY.*

---

## SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

## RAILWAY COMMISSION.

### RESOLUTION.

Mr. B. SAMUELSON* rose to call attention to the Report of the Select Committee on Railway Rates and Fares; and to move—

> "That it is expedient that the Railway Commission be made permanent and a Court of Record; and that, in general conformity with the recommendations of the Committee, the powers of the Commission be extended; and that, on application by a Railway undertaking for Parliamentary powers, a locus standi be afforded to Chambers of Commerce and Agriculture, and similar bodies, and to persons injuriously affected by the rates and fares sought or already authorised in the case of such undertaking."

The hon. Gentleman said: We were so frequently reminded, by those Members of the Select Committee of 1881 and 1882 who represented the railway interest, of the large amounts invested in the railways of this country, that I think that, at the outset of the observations which I have to make to the House, it should be stated that I am satisfied that I, and every Member of the House who has paid any attention to the question, must be well aware of the importance of that interest. We know that the amount of property in railways is close upon, if it does not exceed, the amount of the National Debt; and we know, also, that the income amounts to something between £36,000,000 and £40,000,000 sterling. I think it is impossible, therefore, to imagine that the importance of this interest can be underrated either by this House or any portion of this House. But, on the other hand, the income of this property is, in point of fact, derived from the payments of the people of this country; and if the income of the shareholders and bondholders of railways is something like £40,000,000 sterling, the contributions of the traders and passengers who frequent the railway is something between £66,000,000 and £70,000,000. The question, therefore, is one of very great importance, not only to railway shareholders and bondholders, but also to the public; and I think that, when the composition of the Committee of 1881 and 1882 is considered, it will be seen that all the interests were fairly represented on that occasion. At any rate, if there was any want of representation, it was not on the part of the railways. There were on it eight or nine Gentlemen who were either Railway Directors or who were connected with the railway interest. I do not say, as my hon. Friend reminds me, that those Gentlemen directly interested in railways were in a majority of the Members of the Committee; but they were not constant in their attendance. I think that this was very praiseworthy on their part, and only what might be expected from them. In the course of the evidence, also (we sat 64 days, and called more than 100 witnesses), there was an amount of organization on the part of hon. Gentlemen defending railways, and on the part of the witnesses whom they presented to the Committee, which was perfectly within their right, and of which right they took full and proper advantage; and it may be said with truth that the railway interest was not only fully represented on the Committee, but by their skilled witnesses who were called before us. I make these observations because I do not wish it to be thought that there was not every opportunity for them to be fully heard on the question. Therefore, that being the case, we find that the Resolutions which were adopted, and to some of which I shall call attention, met with the approval of the Committee; and I think that, when these Resolutions met with the approval of the Committee, they may be fairly asked to meet with the approval of the House. It would be tedious, and would detain the House to an unnecessary length, to go into the whole of these Resolutions; but I shall go through the principal ones, and the Motion which I shall make in concluding my observations will be founded chiefly upon these. When I say that I shall deal with all the principal ones, I must make one important exception, and that is the question of the Irish Railways. I believe that to be a most important one, and think it is desirable that it should be taken up by those more competent to do so than I can possibly be. When I state that the Irish Railways, with a capital of £36,000,000, or half that of the Great Western Railway, are ruled by 270 Directors, 37 Secretaries, 20 Managers, and a corresponding number of subordinate officers, whereas the Great Western Railway, with double the capital, has only 18 Directors, one Secretary, and one General Manager, I think it will be admitted that there is something there which requires some looking after; and I shall be glad to find that hon. Members from Ireland, amongst their other duties, will not neglect looking after a matter of that importance. The Resolution to which I shall have to call attention may be summarized under two heads. The first is that which deals with the Railway Commissioners; and the second, that which deals with the questions coming before a Select Committee of this House. Now, with respect to the first, it consists mainly of this—"That the Commissioners shall be appointed permanently, and that they shall be made a Court of Record." I am sorry that my legal knowledge is not sufficient to enable me to define precisely what will be the effect of making them a Court of Record; but in the course of my observations I may be able to point out some disadvantages that Court now labours under, and which I am told will be removed by its being made a Court of Record. But, in addition to that, the Committee recommended, and the effect of my Resolution will be to insist, that the Railway Commissioners, being made permanent as I have described, shall thereafter have jurisdiction not only of matters coming under the general Railway Acts, but also under the special and private Acts of the Railway Companies. And it is further recommended, and I think that is also a Resolution which the House will adopt, that traders should have a *locus standi* before the Railway Commission. The second group of recommendations affects Railway Rates, and I think it may be summarized in this way—that it is desirable, in the first place, that the existing classification, or rather non-classification—and I think I am justified in saying it, and shall be glad to show it by-and-bye—that the classification of rates shall be revised, and in fact that it shall be made, as far as possible, conformable with the classification which the Railway Companies already observe in settling matters amongst themselves. It has been recommended that the Board of Trade should take a more active part in watching the affairs of railways—and on this also I shall have a word to say by-and-bye. Perhaps this is the matter with which I shall have the greatest difficulty in dealing, not on account of some opposition on the part of my right hon. Friend the President of the Board of Trade; and I may say at once that that opposition is not unnatural, under the circumstances of the case. These circumstances I shall also allude to in the course of my observations. Now, Sir, as to the Railway Commission being made permanent. The Railway Commission, as the House is aware, was instituted on the Report of the Committee of 1872, in place of the Court of Common Pleas, which was previously the Court for dealing with railway matters. The former was found not satisfactory. I shall not go into the reasons, but it was settled in favour of a new Court. That Court has existed now for 10 years. For five years it was established as it were on its trial, and it has since been renewed from year to year. I think, if it is to exist at all, that it ought to be a permanent Court; and my opinion that it should continue to exist rests upon the belief that it has given satisfaction to traders, and that the Railway Companies have not succeeded in bringing any charge against it, or shown any reason why it should not be continued. Now, the Railway Companies, or rather the witnesses brought by gentlemen representing the railways, did certainly attempt to show that this Court was not satisfactory to them; and one most extraordinary charge was made against the Court, and that was, that the Railway Companies, when they appeared in it, were dealt with as if they were in a Criminal Court. Sir Frederick Peel explained that that could scarcely be otherwise, because the Railway Companies could only appear in that Court on some complaint; and therefore it is natural that, being always accused, they should have some sort of feeling as if they were in the position that accused people were placed in. But, beyond this, the matters brought against the Commissioners were very far from being proved. I use no stronger term. It was said that the tendency of their decisions was such as was prejudicial to the trade of the country. It was proved that if these decisions were prejudicial to the trade of the country, they were such as had been previously given on previous cases in the Court of Common Pleas; and it was further proved that in all questions, or at any rate in the majority of cases dealing with questions of fact, where an appeal had been granted, their decisions had been confirmed, and not only so, but by far the great majority of cases which were questions of law were also confirmed by the Court of Appeal. The main exceptions were those where their jurisdiction were concerned; and it was perfectly true that there were some cases where the Superior Courts held that their jurisdiction did not extend to these cases. But with regard to them I may say this—that it was simply that their jurisdiction did not, but ought to have extended to them. I do not think that it was shown that in any case their decision would not have been confirmed if their jurisdiction had so extended. Now, it was also said that there had been few cases brought into their Court. Well, that is very true; but it was avowed—I think, at any rate, it was not contradicted when statements were made by witnesses—that numberless cases which would have arisen in which the public had reason to complain about the Railway Companies were settled before they were brought into Court, because the Railway Companies preferred rather to settle than to come into Court. Still, with all that, many grievances remain; and it is with regard to these grievances that I shall have to speak this evening. But I should like to allude for a moment to some of the cases which were decided by the Commissioners within the last year. They appeared in the Report of the Railway Commissioners, recently circulated, for 1882. It has been laid on the Table of the House, and it is to be found in the Library. Now one of these cases was a large Company's refusal to allow the public to use their railways as a continuous line of communication with another, a smaller line which had been recently opened; in fact, the case was between the Great Western Railway and the new line from Swindon to Andover. It appears that the reason, and the only reason, which could be alleged why the public were not to avail themselves of this communication between those two lines was because the two Companies differed as to what was to be the Act under which the arbitrator was to give the award. They did not pretend that it was not possible to accommodate the public; but it was simply a question of what was the Act of Parliament under which the arbitrators were to be appointed, and to give their award. The Railway Commissioners very soon settled that matter, and immediately the public had full advantage of the facilities of which they ought not to be deprived. Then there was an Irish case, to which I shall not allude; and there was a second Irish case, in which certain facilities which one Company had given to another were withdrawn. There, again, the decision of the Railway Commissioners settled the matter, and settled it in the interests of the public. I mention these cases because they are cases in which it is peculiarly desirable that the Court should have the advantage of an expert. These are cases in which, if, instead of an expert judge, we had had expert witnesses, and if there was any discrepancy in the evidence, the question is, whether the matter would have been settled in the best way? Then there is another case where two Railway Companies refused to carry traffic by a certain route. Between those two Railway Companies another small Railway Company was, to use an expression which has become classical of late, sandwiched; and when the small Railway Company applied for a through rate, they were told, in the first place, that they were not entitled to ask the through rate because they were not a terminal Company; and, secondly, because there was an arrangement between the two great Companies which prevented their granting the rate. Now, one of the powers of the Commission is to control the traffic agreements between railways. That, again, is one of those matters in which it is peculiarly desirable that the Court should be continued in its powers. And there are various cases — one especially, the Corporation of Huddersfield, opposed against two Companies, I think the Great Northern and the Lancashire and Yorkshire Railways. In the case above referred to, the arrangement made by the Railway Commissioners has been of the greatest public advantage. Now, I do not think it is necessary for me to pursue this matter further in order to prove that it is desirable that this Railway Commission should continue to exist. I may here refer incidentally to some evidence given by Mr. Balfour Browne. I do not know whether I should call it given on behalf of the Railway Companies. It related to the question why Railway Companies did not avail themselves of the power of using the Railway Commission as arbitrators; and this is what Mr. Balfour Browne said. He said that Railway Companies object to go before the Railway Commission as arbitrators between the Companies, because the Commissioners can use their knowledge acquired as arbitrators on every case that goes before them. Subsequently, in cases of complaint of undue preference, I think that that really was a most valuable piece of evidence, which slipped out quite unawares. I say that the number of cases decided is no criterion of the value of the Court; and I do not think that it is necessary for me to labour this question any further, because, if the Railway Companies did show a little animus against the Commission, it must disappear when they see that there is no chance of their getting rid of it. And I think I need also scarcely ask my right hon. Friend whether or not it is his intention to make it permanent. I think that I may take it for granted that, so far as my Resolution follows that recommendation, he will be with me. Well, now, as regards the extension of the powers of the Railway Commissioners to the Private Acts of the Railway Companies, and having all the usual powers of a Court of Record. My hon. Friend the Member for East Sussex is, I see, in his place, and he probably will be able to explain what will be the effect of making the Railway Commissioners a Court of Record. But I would just say this—that, if I understand the matter aright, the Railway Commission may now decide that a Railway Company is giving an undue preference, and that this undue preference should not be given. But, in the meantime, in this Court the successful plaintiff receives no damages. I believe that it is not in the power of the Railway Commissioners to award any damages to the plaintiff in such a case as the law now stands. I am told that there is a case of undue preference proved in 1880, where the plaintiffs are now litigating in the ordinary Courts, in order to get damages for the undue preference which was proved in the Court of the Commission. That has now gone on for three years outside the Railway Commissioners' Court, after they have given their decision, and when it will be determined nobody knows. But, under the special Acts of the Railway Companies, the Commissioners have no power whatever; and this is, perhaps, the most important point with regard to the Railway Commissioners which we have to consider. They may give an award in case of undue preference; but in case of overcharge, no matter how flagrant, they have no power. With regard to passengers, a railway passenger may be overcharged to any extent by a Railway Company, and the Railway Commissioners have no power to say you have charged this man too much; but they have power to say—"You deprive him of undue facilities;" and it is only in this roundabout way that the Railway Commissioners have jurisdiction with reference to that matter. Now, I think that if there be any case for the necessity of a Railway Court, it is as necessary as to the special Acts as to the general Acts, and I confess it is extraordinary how this was overlooked when the Court was established. Now, as to the charge against the Railway Companies. I believe that the Railway Companies, on the whole, do their duty to the public—that they do their duty according to their lights; and that, in general, they are well advised in their dealings with the public. But if, in the majority of cases, the Railway Companies could be shown to act in the public interest, there are also numerous cases in which the public are sufferers at the hands of the Railway Companies. I do not say that traders are not unreasonable. It is natural that they should be, because they look only to their individual interest; but Railway Companies also look properly to their own interests, but they do not look always far enough as to what is their permanent interest, and, in order to secure temporary revenue from traffic, permit injustice to be done. Now, this is the case especially with regard to preferential charges; and I believe that those who have complained most of the preferential charges are the agricultural community. It was in the evidence before us that Railway Companies, who cannot generally be accused of unfair dealing, have certainly arranged their rates for traffic in agricultural produce in such a way as to bear very hardly indeed upon the British as compared with the Continental producer. According to Mr. Rowlandson's evidence before the Committee, with reference to the rates for cattle from Newcastle to inland towns—and I believe also to one of the seaports—it was stated—and his evidence, I think, was not controverted—that cattle imported from abroad were conveyed from Newcastle to inland markets at rates considerably less than those charged for the same termini for English traffic. His evidence went to show that from Newcastle to Manchester foreign cattle in small waggons are charged £2 4*s*. 3*d*., home cattle £3 7*s*.; in medium waggons, foreign cattle, £2 9*s*. 9*d*., home £3 13*s*. 6*d*. From Newcastle to Leeds foreign cattle are charged £1 11*s*., home cattle £2 8*s*. 6*d*., in small waggons; and in medium waggons foreign cattle are charged £1 16*s*., and home cattle £2 4*s*. 9*d*. From Newcastle to Wakefield foreign cattle are charged £1 11*s*., and home cattle £2 10*s*. 6*d*., in small waggons; and in a medium waggon foreign cattle £1 16*s*., and home cattle £2 17*s*. 3*d*. Now the same thing occurs with regard to cattle imported as against British cattle, and also as to dead meat, between Glasgow and London. Foreign cattle are charged £1 19*s*. 6*d*. per truck less than the Scotch cattle to London. With regard to dead meat there is a difference of 25*s*. per ton—foreign dead meat is charged 45*s*. per ton, whereas the Scotch dead meat is charged 70*s*. per ton. If I am not mistaken, that applies not only to foreign dead meat when it is imported, but actually to the meat of foreign cattle when they are slaughtered in Glasgow. ["No, no!"] I am not quite certain of that. At any rate, I do not think it is necessary to press that point, because the principle is involved as much in the one case as in the other. I now understand the hon. Gentleman says that it is the case that foreign meat is charged 45*s*.; I mean that the dead meat slaughtered on the wharves in Glasgow is charged 45*s*., whereas the dead meat taken, not from the wharves but from stations not a great many yards from the wharves—a mile and a-half or two miles—is charged 77*s*. Well now, there is the case of hops. No doubt, hon. Members opposite will have something to say on the subject of hops. Evidence has been given, and it was not contradicted, that German hops from Flushing *viâ* Queenborough, that is to say, a distance of 155 miles, including 50 miles by rail, are charged 25*s*. per ton. But if those hops, or similar hops, are put into a truck at Sittingbourne, which is on the same line, but three or four miles nearer to London than Queenborough, the same line over which the hops from Flushing have to pass, then that, instead of the charge of 25*s*. per ton for those 47 miles out of 50 on the same line, is charged 36*s*. as against 25*s*. on the whole distance. Then we were told that if Bradford goods are sent to London and exported from London, that they are charged at a considerably lower rate than if sent into London to the wholesale warehouses. This is a peculiarly hard case, because we know that the competition between Bradford and the Continental manufacturers happens, in this instance, to be rather in the home trade than in the foreign. Those soft foreign goods, which have recently been used so largely and have become so fashionable, meet the Bradford goods in the home market—in the London market—and, in spite of that fact, the Railway Companies charge higher rates upon goods to be delivered in the City of London than they do if taken to the wharves in the City of London. Well, similar complaints were made with respect to wire to and from Belgium. It was shown that if you sent wire to a port in Belgium it was charged more than from Belgium, first by ship and then by rail to this country. And the same complaint was made about glass; another complaint was made with regard to coal. It was one which was urged by Mr. Muspratt. He stated that the coal was raised from a pit and taken past the manufacturer's door to a shipping port at a lower rate than he is charged for the shorter distance. And there was a number of similar cases. Some defence was, of course, made that it was the desire to encourage the import trade, and it was attempted to be proved that no one was hurt by this, but that some people were benefited by it; and the plea generally—and I am sorry to say that it was supported by one witness from the Board of Trade, Mr. Farrer—was this, that if the Railway Companies were compelled to charge the same rate in all cases, they would not level down, but level up. I think that that is very easily met, because the Railway Companies already charge as high a rate as the people can pay. That is their guiding principle—they charge as much as the traffic will bear; but if the traffic will not bear more they cannot increase their rates—that is, they cannot level up. But this thing has been attempted. When the Denaby Main Colliery Company got a decision against the Sheffield and Lincoln Railway, there was an attempt to level up; instead of lowering the rate, they raised the Denaby Company and raised the rate to other parties. What was the effect of that? The traffic was enormously diminished in three months, and they had to level down again after having tried levelling up; and the same with other cases, I believe. But my answer, apart from what may be expected as to whether the Companies will level down or level up, is that the railways are the public highways of the country, and it is not to be tolerated that the Railway Companies should be able to arrange the rates in such a way as to favour one trade, or one country, or one district against another. So long as this is in their power, without any check, railway managers may be capable and may be honest, but they may be incapable or corrupt. I do not accuse any man; but I do say that that state of things which permits men, who may be incapable, to influence, for good or evil, the trade of the country by arbitrary acts, is not a state of things which can be tolerated, and that some remedy must be provided. But it may be said, with regard to the case of undue preference, that there are already sufficient powers—why do not traders go before the Railway Commissioners? I think Mr. Farrer put that well. He said that the London Tavern is open to everyone, but that it is a very expensive place to go into. But it is not only a question of expense. And moreover, with regard to that, it is hardly to be expected that individuals will fight cases by which all their neighbours will profit. But it is not only a question of expense. Individual members of the public are afraid to encounter Railway Companies; and this was specially emphasized by Mr. Balfour Browne. He said that the Railway Companies have opportunities of making traders suffer, which prevent them from coming into the Railway Commissioners' Court. I can give instances, but I will not do so. But I see my Friend the hon. Member for Bedfordshire (Mr. Howard). He had a little encounter with the Midland and North-Western Companies, the proceedings of which may be instructive if he should think fit to bring them before the House this evening. Now I should have been glad if the Board of Trade had been disposed to take up this question in the public interest; but we are told that it is difficult to decide what are public and what are private interests, and we are told also that the Board of Trade are not always able to do as they would like, and that the Treasury sometimes puts a veto upon proceedings which might otherwise be taken; and on this subject Mr. Farrer gave some very valuable evidence, which, however, I do not think it necessary to for me to quote. But I believe that, even as regards this, we may hope that a change will come over the spirit of the Board of Trade. They have already assumed the responsibility of calling the attention of the Railway Companies to cases where Railway Companies ask for rates which are unusual. I think that that is a step in advance, and I should not be surprised if my right hon. Friend, although he may not express his concurrence with me in what I think ought to be done this evening, I should not be surprised if, with a little gentle pressure, the new Minister of Agriculture may be inclined to take cases before the Railway Commissioners which are really of public interest. But this I do recommend, and this I am prepared to support, and it is that associations like Chambers of Agriculture and Chambers of Commerce should have a *locus standi* before the Railway Commissioners in the interests of the traders who are members of their associations. I have presented some 20 Petitions in favour of that course from Chambers of Commerce and Agriculture, and some other Petitions have been presented by other hon. Members. There is one recommendation which the Committee made, and about which there was considerable contest, and that was the recommendation that there should be an appeal on questions of fact from the Railway Commission to another tribunal. Now that really means dragging traders from one Court to another, and we have had instances of how far that has been carried by Railway Companies which should make us hesitate before giving that power. At any rate, if they are to have that power, I think that the Railway Commission should be entitled to say that, in any circumstance, the costs should be borne by the Railway Companies. There may be questions of great public interest which have to be decided. If the decision has been come to on a question of fact against a Company, and they elect to appeal on account of the case being a typical one, I think that the Railway Company should pay the costs of the further litigation. But this is, after all, a minor point. There is another way in which the Railway Companies punish the public, and that is the claim to charge for terminals. I believe that terminals have been exacted in cases where they were not entitled to charge for terminals at all. That is a very complicated question; but, at any rate, they have in some cases so strained the claim for those terminals as to more than double the rate which they were actually authorized to charge. They make such an unauthorized charge as 15*s.* 6*d.* up to 36*s.* or 37*s.*, and they account for the remainder of the charge as terminals. Now that question of terminals wants looking into. I am not prepared to say how it is to be settled; but it is a question well worth the attention of the President of the Board of Trade. But then there is another question, and that is the last with which it is for me to deal with in reference to these recommendations, and that is how Railway Companies are enabled to make such great variations on different parts of their lines, and how it is that Liverpool was able to come before the Committee and say we are placed at a great disadvantage by the differential rate which is charged us as compared with Barrow and Fleetwood. Well, the reason is this, that the only protection that the traders have in these cases is by the maximum rates, and these maximum rates are really in point of fact obsolete. They were established at a time when people did not know what the cost of conveyance would be, and what the traffic would be able to bear, and the rates which were first established in 1840 or 1844 have been continued by a sort of tradition in subsequent Railway Acts. It also has arisen in a natural way. The contests before the Railway Committees have only been between Railway Companies; but whenever it has been said, "The preamble is proved," the opponents have withdrawn. They have never objected to the tolls or rates being unfair. It was not to the interest of any opposing Company that the railway applying for powers should have the tolls lowered; on the contrary, the higher the tolls the better their old opponents, when they had squared, were satisfied. I think that there should be a revision of the tolls and rates, and there should be a revision, in the first place, of the classification. I wish to show how complicated this is. I would, in the first place, mention that the London and North-Western Railway Company had no less than 105 Acts—for I took the trouble of going over them—authorizing tolls and rates of various kinds, and it is so with the other Company. Now as to the classification. In the Great Eastern Act of 1862, the following articles are charged in the same class—hay, straw, tea, and silk. In one of the Great Western Acts—I am sorry I have not got the date—grain, dung, and sheet iron are in the same class. In other cases—as the Midland Railway—to show how obsolete these railway rates are, manufacturers are charged in the manufacturing district 3*d.* to 5*d.* per ton per mile; and so for cotton also, on the North Western I believe, the maximum charge is 2½*d.* to 3*d.* per mile. When these Acts were passed neither Parliament nor the customers knew what the rates should be. In many cases they were taken from the old Canal Company's tolls, and they have been stereotyped in the Acts, and they are really of no use now but to enable the Railway Companies to manipulate the rates in any way they please, to the detriment, it may be, of the public. Then, that being so, I think that whenever a railway undertaking applies for powers, the traders affected should have a *locus standi*, and that they should have an opportunity of complaining of the existing rates. I say nothing about new Companies, because their rates, as a matter of course, are subject to this control now, but in the case of old Railway Companies asking for new powers; and if the Railway Companies will take this matter of the revision of the rates into their own hands, and not wait till the public make them, it would be better for them. There is just one other point—although I am not prepared to go into it except to say that this question of the claim of the public to make representations to the Committee with regard to the rates should not be lost sight of—and that is with regard to the much higher rates charged on many articles carried by the English railways than by the railways abroad. I think I can find one or two cases which will establish that point. In France coal is charged under $\frac{4}{10}$*d.*; in Belgium, $\frac{3}{10}$*d.*; in Germany, $\frac{1}{4}$*d.* per ton. Sheet iron is charged $\frac{2}{3}$*d.*, and hardware $\frac{4}{5}$*d.* In England the maximum rates are very much higher, and not only the maximum rates, but the rates actually charged. Another thing is that the railways—I do not say on the pretext, but in consequence of the rise of coal—increased their rates very considerably after 1870; but in most cases they have taken care not to lower them again. I will give you a very curious example, and at the same time of the curious mode with which they deal with rates generally. In the case of Dockyards, evidence was given before us that the traffic rates from Staffordshire to the Dockyards increased 50 per cent some years ago, and that whilst the rates to other places about the same distance were lowered, that these rates never had been lowered. Since this was before the Committee some modification has taken place; but up to that time it was simply this—that private traders have done what they could to get a reduction and the Dockyard had not paid any attention to the matter, and the consequence was that those rates were not reduced, and they were 50 per cent, on the average, higher than for similar distances to the trading ports. Well, Sir, I think it is not necessary that I should go any further into the evidence. I believe that no one in this House desires to do anything that should shake the confidence of railway shareholders in the good faith of Parliament; but I do feel sure that it is necessary, for the sake of the maintenance of our position as traders in this country in competition with other countries, that those matters should be strictly looked into. For that purpose it is necessary that the utmost facilities should be provided for redress in cases in which the Railway Companies have been justly complained of, and it is necessary that the classification, and in many cases that the rates, should be revised. That is the scope beyond which I shall not go—that is the scope of the Resolution which I shall submit to the House. I beg to move—

"That it is expedient that the Railway Commission be made permanent and a Court of Record: and that, in general conformity with the recommendations of the Committee, the powers of the Commission be extended; and that, on application by a Railway undertaking for Parliamentary powers, a locus standi be afforded to Chambers of Commerce and Agriculture, and similar bodies, and to persons injuriously affected by the rates and fares sought or already authorised in the case of such undertaking."

If the House should think fit to adopt this Resolution, as I hope it will do, it will be necessary to give effect by a Standing Order to that portion which relates to the *locus standi* of traders and others before Railway Committees. With respect to that matter, I shall be only to glad to communicate with the Chairman of the Committee on *locus standi*, and also with the President of the Board of Trade as to the best way of giving effect to this Resolution.

Mr. GREGORY, in seconding the Motion, said, the public were indebted to the hon. Member for Banbury for having called the attention of the House to this question, which was undoubtedly one of great importance. To the agricultural interest of the country it was at least as important as the questions of Local Taxation and of County Government, for it was obvious that by equitable rates of charge and proper facilities for traffic, that great interest must be deeply affected. The Committee of 1881 took a mass of evidence as to the constitution of the tribunal, and as to the subjects to be submitted to it, and there was no doubt there were many defects in its constitution. The judgment of the Commissioners could only be enforced by an action brought in another Court, they themselves being absolutely powerless to enforce it. The Commissioners were also subject to the prohibition of the Courts of higher jurisdiction, and it had been the constant practice of the Railway Companies to move for a writ of prohibition so as to remove cases into the ordinary Courts of Law. Again, the Act of 1873 only gave power to Local Boards and Municipal Authorities to appear before the Commissioners on anything like a general question. It was true that individuals might make complaint, but matters of public interest could only be promoted by Railway Companies *inter se* or by some Municipal Authority. He was of opinion that the Commissioners had discharged their functions with great ability; they had had something like 100 cases before them, and they had decided them, on the whole, in a very satisfactory manner.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. GREGORY, resuming, said, he contended, therefore, that the Commissioners should be constituted a permanent Body with extended powers. The question of railway rates was a very serious one for the agricultural interest. Hops, for instance, had to pay 36*s.* per ton for carriage between London and Ashford, but they were brought from Boulogne for 21*s.* That was a very considerable extra charge; but when the difference between the distances was considered, English hops would be found to pay nearly double the amount paid by foreign hops. So again with cheese. American cheese came from Liverpool to London for 25*s.*, while English cheese paid 45*s.* from Chester to London. Railway Companies justified these charges partly by the competition they had to contend with by sea, and partly in terminal charges. They charged for the money expended on stations and sidings on the assumption that they were special works to which the rates imposed by Parliament did not apply. But the Railway Companies were not authorized to levy terminal charges at all, except a reasonable sum for loading and unloading, and for services incidental to the trade of the carrier, and he contended that the construction of stations and sidings was part of the railway itself, and that the maximum rates authorized by the Special Acts were intended to cover these, whilst the Railway Companies made a heavy addition to their terminal charges on account of the money laid out on these works. It was clear that the charges to which he had referred were prejudicial to the commercial interests of the country, and that there ought to be some fixed tribunal to regulate these matters. It was very difficult for an individual to go before the Commissioners and contend against a Railway Company; it might seriously prejudice him in his business, and to meet this, it was proposed by the Resolution of his hon. Friend that the Chambers of Commerce and Agriculture, and similar associations, should have that power, and that proposal, as well as the other proposals of his hon. Friend, he cordially supported.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is expedient that the Railway Commission be made permanent and a Court of Record; and that, in general conformity with the recommendations of the Committee, the powers of the Commission be extended; and that, on application by a Railway undertaking for Parliamentary powers, a locus standi be afforded to Chambers of Commerce and Agriculture, and similar bodies, and to persons injuriously affected by the rates and fares sought or already authorised in the case of such undertaking,"—(*Mr. B. Samuelson,*)

instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. JAMES HOWARD said, that the hon. Members for Banbury and East Sussex had urged so many conclusive reasons in favour of the Motion that it was unnecessary for him to go fully into the question. As, however, his hon. Friend the Member for Banbury had referred to him, he would explain that the firm of which he was a member had, some four or five years ago, a claim for terminals against the Midland and London and North-Western Companies, and that, after much fruitless negotiation, upon the firm giving notice of their intention to proceed before the Railway Commissioners to have the question settled, the Companies retorted by raising the rates payable by the firm most enormously, a course which, when the case was before the Commissioners, Mr. Pope, Q.C., the counsel for the Midland Company, denounced most emphatically. In his opinion, the Commission should not only be continued, but its powers should, in the interests of the trade, the commerce, and the agriculture of the country, be greatly enlarged. Experience had proved the necessity of the measures shadowed forth in the Motion of his hon. Friend, which he had much pleasure in supporting.

Mr. CHAMBERLAIN said, he felt satisfied that his hon. Friend was perfectly justified in bringing this matter before the House, and at the same time that he did not intend to bring a general indictment against the Railway Companies of the United Kingdom; for when he considered the mode in which the enormous business of their undertakings was conducted, as compared with the manner in which similar undertakings in foreign countries were conducted, he was strongly of opinion that those Companies deserved well of the country, and he did not think that it would be desirable, in the interests of the community generally, to render uncertain the investment in these undertakings. His hon. Friend had spoken of the large amount of capital risked in these undertakings; but he had not stated that the return even now was, on the average, only a fraction over 4 per cent. He did not think a less return would justify investment in this kind of property. His hon. Friend was, of course, aware that the nature of the tribunal before which Companies should go had been the subject of consideration by the present Government and its Predecessors for a number of years, and that the settlement of the question had only been delayed by the presence of other Business. He thought he might now say that the question was now within a measureable distance of solution; and if he should have the honour of holding his present Office next Session, he might see his way to introduce a measure dealing with it. Looking at the Resolution of which his hon. Friend had given Notice, he might say he saw nothing in it to which he could take exception; and, therefore, speaking on behalf of the Government, he would offer no opposition to its acceptance by the House. His hon. Friend proposed that the Railway Commission should be made permanent. To that proposition he gave his unqualified adherence. The Commission had done its duty uncommonly well, and its work was thoroughly appreciated by the public. The only questions which he would reserve were questions of detail—as to the salaries to Railway Commissioners, and the exact character of future appointments. What he pledged himself to was a permanent Court, with such powers and conditions as would make it a Court of Record. The next point in the Resolution was that, in general conformity with the recommendations of the Committee, the powers of the Commissioners should be extended. He was glad the hon. Member had used the words "in general comformity," because he did not wish at that stage to pledge himself to the details of a Bill which might be introduced hereafter; but, speaking generally, he could fairly accept the recommendation of the Railway Committee with regard to the proposed extension of powers. The question most open to doubt was as to a power to order through rates on the application of traders. That was a matter in regard to which there would be considerable difficulty; but still he was not altogether without hope that it might be arranged in practical accordance with the suggestions of the Railway Committee. The cases to which the hon. Member referred had been cases in which traders generally and individuals were injured by existing railway rates, and chiefly cases arising out of the inequality of rates which undoubtedly existed. But inequality of rates did not necessarily involve anything in the shape of undue preference. To take the case of the agricultural interest, cattle and agricultural produce brought from abroad, and especially the United States, were conveyed over English lines for lower rates than were charged for exactly the same produce when carried entirely within the United Kingdom. It was urged, however, on behalf of the Railway Companies, that if they were not to make these special rates the goods would be conveyed exclusively by sea. It was also urged that in the case of foreign produce it frequently happened that the quantities conveyed were very much larger than in the case of home produce, and was, therefore, entitled to special rates. He did not offer any opinion on the validity of this defence; but it was evident that the matter was one for separate and full investigation, because, though there was an unequal rate, they must not necessarily assume that there was an undue preference. He agreed, at the same time, that the question as to whether an undue preference had been given was a proper subject for inquiry by the Railway Commission. By whom, then, were these matters to be brought before the Commission? He agreed that as a rule it was not a duty that ought to be thrown upon private individuals. The expense would be such that a private individual could hardly be expected to undertake it; and, under those circumstances, it did appear fair that representative bodies which were authorized to speak to some extent in the name and on behalf of commerce should have, *ex officio* as it were, a *locus standi* before the Railway Commission. If that were the case, he had no doubt that many questions would be taken up and decided which were not at present raised at all. But his hon. Friend went a little further in his speech, and expressed the hope that the time would come when he (Mr. Chamberlain) would be persuaded that it was expedient for the Board of Trade or some Public Department to take up these questions on behalf of the public. He confessed he did not think that time was likely to come soon. His experience showed that wherever the duty was thrown upon a Public Department of undertaking prosecutions, the action of the Department tended to wear the appearance not so much of prosecution as of persecution. Speaking especially of his connection with shipping legislation, where this duty had been thrown upon him, not in the interest of property, but of life, he was bound to say he did not think the result had been so satisfactory as to justify any large extension of the practice. His hon. Friend proposed that individuals affected by alleged unequal and unfair rates should also have a *locus standi;* but, of course, he would not wish that whenever a Railway Company applied for powers, even when they were in the nature of an extension for the public benefit, that every private individual should have the right to harass them by going into every single rate or fare. Therefore, it might be necessary to protect Railway Companies against frivolous complaints by a restriction similar to those in the case of criminal prosecutions where the fiat of the Attorney General was required. In conclusion, in regard to the Amendment on the Paper by the hon. Member for Preston (Mr. Tomlinson), he would say generally that the terminal charges constituted a question of importance. He believed that the maximum charges now established were in many cases altogether unsuited to the existing requirements of the traders. They were extremely arbitrary, and the classification undoubtedly required revision. He did not think it necessary to say more on this occasion; but he hoped in a subsequent Session to be able to give effect to the pledges he had given in regard to the subject brought before the House on the Motion of his hon. Friend.

MR. TOMLINSON said, that, considering the course of the debate and what had been said by the President of the Board of Trade, he did not think it would be necessary or desirable that he should move the Amendment which stood in his name in favour of one uniform classification of goods and the recognition of terminal charges subject to their publication by Railway Companies. He entirely accepted the view of the right hon. Gentleman as to the immense importance of the question of terminal charges. He had occasion to consider the question practically, having been personally interested in the due apportionment of these charges. But, like the hon. Member for Bedfordshire (Mr. J. Howard), he had been a litigant before the Railway Commission, and, as a result of the litigation, had succeeded, to a great extent, in inducing the Companies to allot him proper terminals. He was, therefore, now affected by them in the same way that his constituents were. He concurred in the suggestion that the Commission should be made permanent, and that it should be a Court of Record. But it was an expensive Court, a fact that was due to the necessity of calling skilled witnesses, who were required on account of the uncertainty of the law. The mere reconstitution of the Court would do little to reduce the grievance of undue cost. With reference to the question of an unlimited right of appeal, or what might more strictly be called a right of re-hearing, he thought it ought to be pointed out that this was a provision made entirely in the interest of the Railway Companies. The suitors in the Railway Commissioners Court were, on the whole, very well satisfied with the decisions of that Body, and when appeals had been allowed it had generally been at the instance of the Railway Companies. By the Act of 1873 the right of appeal was limited on account of the great abuse which had been made by some Railway Companies of that right. It was, therefore, desirable that the right of appeal should continue to be in some way limited. The difficulty of dealing with rates, on account of their number, of which the right hon. Gentleman had spoken, would be diminished, if, instead of considering all, attention were fixed on the maximum charges, as to which it would be useful to introduce something like certainty and simplicity. The question had been partly dealt with by the Standing Order moved by the hon. Member for North Hants, which affected new Companies, and old Companies seeking to increase their rates. Under the Standing Order the Board of Trade was called upon to report on the question of rates, before a Bill was read a second time. In a similar manner Companies seeking fresh powers might be called upon to simplify their rates. The practicability of this was illustrated by a Return made some years ago to the House of Lords, in which the charges of some Companies occupied several pages, and those of others only as many lines. Preston was peculiarly affected, because it was at the junction of two great systems, and inconvenience and loss resulted from uncertainty as to the railway charges. If he found he were supported by the feeling of the House, he should move a Standing Order requiring the Board of Trade, in the case of existing Companies seeking further powers, to make a similar Report to that which they were now required to make with respect to new Companies, stating whether their existing rates required simplification. A great deal of ambiguity seemed to prevail as to terminal charges, which sometimes were taken to mean the charges a Company was entitled to make over and above the maximum rates and fares, but had a totally different signification under the Clearing House system. It was his belief that the public would never be fairly dealt with under the Clearing House system until the arrangements which the Companies found it convenient to make among themselves were made binding as between them and the public. It might be worth while considering whether, when the Railway Commission was reconstituted, there should not be a Department of an administrative kind established, to which some of the functions of the Railway Clearing House with reference to classification should be attached. The Railway Clearing House was a voluntary association, to begin with; but it had since obtained Parliamentary powers. The result had been the formation of a great monopoly, which it was not conducive to the public interest to leave without public control. He thought, also, there ought to be some inexpensive method of bringing before the Railway Commissioners questions which could be easily settled by reference to the Company's books, and for that purpose an office something like that of the Chief Clerk in the Court of Chancery might be established. He agreed with a former speaker that this question of the relations between the public and the Railway Companies was of as vast importance as any of the great questions before the House this year. At the same time, after what had been said, he did not think it necessary to press his Amendment, although it was his intention this Session to move the Standing Order of which he had given Notice.

MR. CRAIG: I think, Sir, after the very satisfactory and fair way in which the right hon. Gentleman the President of the Board of Trade (Mr. Chamberlain) has received this Motion, that there need be little more said now on this subject. This is a very important question, though it has been brought forward in a thin House. At the same time, I am quite sure that there is no question which has excited the attention of the country generally more than this. The hon. Member for Banbury (Mr. Samuelson) stated that the Committee on Railway Rates examined something like 100 witnesses. There might have been three or four times that number, if it had been necessary to call them. Now, Sir, the right hon. Gentleman, in his speech, made reference to competition, and he said that that was sometimes brought about by the Railway Companies very fairly, and that it benefited the consumer. Well, that, generally, may be so. At the same time, I think that the hon. Member for Banbury is quite correct when he sets forth the view that it is wrong to give to any body of men the power to induce competition between traders, without some public control. There is just one case to which I would call attention, in order to show how unfairly that power is sometimes exercised. It is a case which is stated in the Report of the Railway Committee, and that is the carriage of sugar from Greenock to something like 39 towns, at a distance of 292 miles, and the same charge is made for carriage as from London, at a distance of 150 miles—in other words, the Railway Companies are carrying sugar for the Greenock refiners at something like one-half of the cost per ton per mile that they are carrying for the London refiners. We have it on the highest authority—and the trading public generally accept this view—that the power to construct a railway is actually a contract between the Railway Companies and the public, and that, although it is carried out by the machinery of an Act of Parliament, it is yet understood that the powers granted, and by which alone they can become business Companies for their own profit, are to be exercised fairly and for the public good —that is, that they will give no undue preference, and that they will give equal advantages to all traders similarly circumstanced. Now, it is impossible to say how far these Greenock refiners have an advantage in the labour market and in other items which affect the cost of refining sugar; and, if they have an advantage over the London refiners, it is clearly wrong to disturb the trade of the latter by bringing the Greenock people into competition with them by carrying their sugar 292 miles at the same rate as they carry the London sugar 150 miles. Well, there is, again, the case of meat from Glasgow to London. The same Railway Companies charge, as was said by the hon. Member for Banbury, 77*s.* per ton for home-grown meat from Glasgow to London, and only 45*s.* per ton for meat which is brought from America, landed at Glasgow, and carried to London under precisely the same conditions as to quantity and other circumstances. Well, Sir, that seems to be a violation of the spirit of the law, at any rate, which prohibits the giving of undue preference. Now, unless the Railway Companies can show that the producers in each case are similary circumstanced when equal rates are given for unequal distances, or dissimilar when unequal rates are given for equal distances, it is clearly a wrong inflicted upon the traders, either individually or in classes, to disturb their trade by bringing this competition upon them. The contract, as it were, between the public and the Railway Companies is, at present, in a most unsatisfactory state. We had it before the Committee that the Railway Companies considered themselves entitled to charge anything that was below their maximum rate. They also said that they had a right to carry for different consignors at different rates, although the article was the same and under similar circumstances. Well, that seems to be a wrong—it seems to be inviting competition and to disturb trade; and although it may, in a sense, benefit the consumer, yet it cannot be a permanent public benefit, for it disturbs trade arrangements made by private traders, and causes uncertainty to every class of producers. I think, therefore, that the Railway Companies, before they ought to be entitled to make those great differences in charges, should be required to show before the Court the circumstances which justify such departure from the spirit of the law, and that they are inflicting no injustice upon any class of traders. The whole question is in a very unsatisfactory state; and it would be much more satisfactory if the right hon. Gentleman had been able to have promised some Bill this Session upon the subject, for it is a long time to wait for another Session, and we cannot tell what may take place before then. But this is a question which is most urgent. Trade continues in a bad state throughout the country, and we know that the condition of agriculture could not possibly be worse; and yet we have this, what many believe to be a cause of great injustice, continued at least for another Session. Now, with regard to those terminals to which the hon. Member for Preston (Mr. Tomlinson) has alluded. This is one thing which affects adversely the whole question. So far as the trader is concerned, it is perfectly impossible for him to ascertain his position with regard to terminals, or even to rates. If he goes to the railway station to ask what any particular rates are, he finds that he is confused with alleged terminal charges. Again, classification ought to be dealt with, because it is impossible to derive from any one rate book what the trader wants to get at. He is referred not only to a rate book, but also to a classification book, and this classification is exceedingly imperfect. Therefore, it is to be hoped that, when the Government takes this up, they will not leave too much power in the hands of the Railway Companies, because, although, generally, they may fairly be said to work honestly, yet they are not a class of people different from the generality of mankind—they are liable to the same passions and the same feelings; and we have abundant proof that they often allow feelings rather than deliberate judgment to dictate their actions, as in the case of the disputed coal rates between two Railway Companies in 1871 and 1872. This was a case of coal rates between the Midland Counties and London; and we know that this dispute between the Midland Company and the Great Northern in 1871-2 raged for a considerable time, and the rates were reduced 2*s.* per ton less than what they are at the present time. Well, supposing that the Railway Companies were induced to compete against the sea carriage, or against each other, for this foreign trade, and that they lowered that rate proportionately, what position would the English farmer be in? They are bad enough now by being charged 77*s.* against 45*s.* to the foreigner; but the Railway Companies might, to secure foreign traffic, with as much justice, still further reduce the rates on these articles 3*s.* or 5*s.* per ton, as was done with those coal rates in that battle between the Midland and the Great Northern. It is, therefore, clearly the duty of the Government to take this question up as early as possible, and to place it beyond the power of any Railway Company to injure any class of traders upon the plea that competition is cheapening the article and benefiting the consumer. Consumers are producers; and when any class of producers is injured, the wages of the workmen are, by consequence, reduced, the whole condition of things is thrown into confusion, and it cannot be regarded as a permanent good to anyone. I thank the House for the patient manner in which they have listened to my observations.

Mr. HICKS was glad that the Resolution had received the approbation of the Government, though he failed to understand that portion of the speech of the President of the Board of Trade which declared that differential rates were justified by the superiority of English over foreign railways. The President of the Board of Trade also said that, though the differential rates on foreign corn might be unjust, still they did not injure the English farmers, inasmuch as the foreign corn would get to London, whether carried by rail or sea. Well, that might be so; but, on behalf of the agricultural interest, he was ready to take the chance, and he only desired that both should be healed alike, and that justice should be done. He would now come to the main question. Some years ago he sat on a Railway Committee, dealing with railways South of London, and it appeared in evidence before it that a Railway Company, who said they were then desirous of giving increased facilities to the inhabitants of Kent of visiting Maidstone, were charging 3½*d.* per mile for local passengers for short distances to that town, and 2½*d.* a mile for through passengers for long distances. He suggested at that time that a rate should be uniform throughout the whole extent of the railway, but was told such a provision was beyond the scope of the Committee. Had these Resolutions been in force, he would have been able to enforce that system on the Company. He trusted that before long they would see their way to prevent further injustice being done by Railway Companies to British producers whether agricultural or manufacturing.

Viscount FOLKESTONE said, as the Representative of an agricultural constituency, he wished to express his satisfaction at the manner in which the President of the Board of Trade had received the Resolution of the hon. Member for Banbury (Mr. B. Samuelson). He only trusted that the right hon. Gentleman's definition of a measurable distance within which the solution of this question was to be reached was a right one, though, considering the state of Public Business at present, he feared agriculturists would have to wait some time yet before their interests were considered in connection with railway rates. The recommendation of the Railway Commission to inquire into the existing rates and fares was one which was virtually essential to the agricultural community. With regard to differential rates, it would be far more equitable and fair that the foreign producer should be charged more than that the home producer should. He was glad that the Government had accepted the Motion, more particularly the latter portion of it. He thought it extremely desirable that in each case which came before the Commission an inquiry should be made, and that they should decide whether the charges were excessive or not. The President of the Board of Trade appeared to have overlooked one very important recommendation of the Royal Commission relating to the uniform classification of goods over the whole railway system. If that recommendation were adopted, he thought it would help very materially in carrying out the other objects to which the right hon. Gentleman had referred.

MR. MONK was glad that Her Majesty's Government had consented to deal with this subject, although legislation for the purpose of making the Railway Commission permanent had been promised before and had come to nothing. The Railway Commission had given great satisfaction to the commercial community; and, therefore, he considered it was highly desirable that it should be made permanent and a Court of Record. With regard to the recommendation of the Committee that Select Committees should have some authority to deal with the existing rates and fares of Companies coming to Parliament for further powers, he thought it was open to the criticism of the President of the Board of Trade, that it would be quite sufficient to give Chambers of Commerce and Agriculture a *locus standi* before the Railway Commission on all questions affecting rates and fares. He thoroughly agreed with the recommendation that there ought to be one uniform classification of goods all over the country. With respect to differential rates, he could not see the justice of charging lower rates to the foreign than the home producers and manufacturers. Foreign corn, cattle, timber, and many other commodities from abroad were thus carried cheaper than home-produced articles. For instance, foreign hops from Boulogne were now brought from Folkestone to London for 17*s.* 6*d.* per ton, while hops from Ashford to London, half the distance, were charged double that amount—35*s.* per ton. Railway Companies justified these anomalies by saying that they were for the advantage of the consumer. In his opinion, those differential rates should be abolished.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. MONK, continuing, observed that great anomalies also prevailed in passenger rates. He thought it most desirable to adopt the recommendation of the Committee that the Commissioners should have power to decide questions of passenger fares, and this power might be conferred upon them by the measure that was to be introduced by the Board of Trade. He would also suggest that the passenger fares should be printed on the railway tickets. This was done all over the Continent, and was found to be a great check against fraud. Evidence that this could be done without difficulty, beyond the necessary expense at the outset, had been given by railway managers before the Committee. He was glad the House was prepared to accept the Resolution.

MR. STUART-WORTLEY pointed out that the manufacturers of Sheffield had great reason to complain of the unfair rates charged by the Railway Companies, and practically the foreign manufacturer gained advantages in the matter of carriage at the expense of the English manufacturer. The manufacturers of Sheffield had to complain of the differential rates charged on certain railways, by which iron ore and pig iron were conveyed from Cumberland to Goole and Hull for shipment to Germany at a cheaper rate than they could get it at Sheffield from the same mining district. He did not think it for the benefit of the community that railway shareholders alone should be considered, or that the preferential rates should be maintained to the detriment of the home manufacturer.

MR. DUCKHAM thought that no difference should be made in the rates for artifical and ordinary manures. Home agricultural produce paid much higher rates than foreign; and now it was attempted further to handicap the British farmer by doubling the rates for his manures.

MR. J. W. BARCLAY said, he congratulated the hon. Member for Banbury on the success of his Motion, and assured the President of the Board of Trade that this was a great and a growing question. Owing to the depression and suffering in late years, farmers and traders generally had looked very closely into the matter, and they found that the Railway Companies were acting in an anomalous and arbitrary manner in the fixing of their rates. Every one of the railway managers who gave evidence before the Committee on Rates and Fares stated that the Companies did not know what was the cost of any particular service, or when they were charging too much or too little, and that the system—or rather no system—which guided them was that they should take all they could get, so long as they kept within their maximum rates. There was no other business in the country carried on upon such a principle. The farmers did not ask the Railway Companies to carry for them at a loss; but they complained that they were charged 3*d.* per mile for service for which other traders were charged only 1*d.* The Railway Companies had endeavoured by low rates to divert the trade from its natural channel; but this was for them an unfortunate policy, because it led to the crowding of their lines, and to heavy outlay for additional stations and rails. In some cases the difference between their charges for home and foreign produce was equal to 10*s.* an acre additional rent to the farmer in this country. He could have wished that the right hon. Gentleman the President of the Board of Trade could have gone a step further and brought in a Bill to carry out the views of the Committee, so far as they were embodied in the Resolution now before the House. The only point he wished to refer to was that with reference to granting an appeal to the Companies upon questions of fact as well as of law. If that were done, it would have the effect of abolishing the Railway Commission altogether; and therefore he hoped, before any new Bill was introduced, this matter would be carefully considered. He should be glad if the Board of Trade would go further, and take up the question of enforcing the law, and seeing that the Companies did not exceed the powers conferred upon them. The public should not be charged in excess of the rates which the Companies were authorized to charge. The necessity for some body taking cognizance of the charges made by Railway Companies was become more and more clamant. He hoped the Railway Commission would be made permanent, with extended powers to enable them to deal with all questions arising under their Private Acts.

Sir BALDWYN LEIGHTON remarked, that this was a very complicated question as well as a very important one. What the farmers and traders objected to was seeing a protective or preferential rate put on the foreign producer—not only corn, cattle, fruit, and vegetables, but timber and iron. He recommended the right hon. Gentleman to consider it well before next year, with a view to the introduction of a Bill which would be satisfactory to all parties.

Mr. BOLTON said, the debate had proceeded pretty much on the assumption that railway managers were entirely ignorant of their business, and the hon. Members who had taken part in it had spoken as if they alone knew how to conduct railway business. He did not rise to oppose the Resolution, because he was perfectly satisfied that when this question came before the House in the shape of a Bill, railway Representatives in the House would be quite able to prove that they had managed the railway business of the country in a manner which would meet with the approval of the House. But he rose to correct certain mis-statements that had been made with respect to the Railway Commission, and with respect to what were called preferential rates, which mis-statements, if they went forth uncontradicted, would lead to great misapprehension. Hon. Members had shown, or tried to show, that preferential rates were the rule, and equal rates the exception. As the Railway Commission had complete power to correct the preferential rates, and they had not done so, how could it be said that it was desirable that the Railway Commission should be made permanent? He believed the hon. Gentleman who introduced the Motion inadvertently said that the Railway Companies entered the Commissioners' Court with an animus against the Commissioners. [Mr. B. Samuelson: I did not say that.] He was glad to hear the denial from the hon. Member, because he begged to assure the House that the only animus that the Companies had against the Commissioners was the fact that there was not a right of appeal. He would now say a few words as to the so-called preferential rates. Take the rates for beef from New York as compared with Glasgow. As a matter of fact, Glasgow was not a place where beef was grown, but for the sake of argument it did not matter. It was true that the rate for home-grown dead meat from Glasgow to London was very much higher than for foreign meat; but how did that affect adversely the farmer who grew beef in the neighbourhood of Glasgow or anywhere else? It was not competition with the home-grown meat in any sense whatever, because if foreign meat was not sent to Glasgow, to be afterwards conveyed to other ports, it would be sent direct from New York to the various ports. By whichever route the meat went the rates would be exactly the same. Sugar was another article, and it was said, as one of the iniquities of railway management, that sugar was carried from Greenock to towns in England at a lower rate per mile than it was carried from Liverpool to the same town. That simply meant that if the sugar was not taken by railway from Greenock to those inland towns, the sugar from Greenock would not go at all, or if it went, it would go by sea to Liverpool, and thence by railway to the Midland Counties. The fact was, that the railway rates for sugar from Greenock to the Midland towns was identical with the rate by sea to Liverpool and thence by railway to its destination. And who was injured by that? Certainly it was not the refiner in Greenock; it was not the consumer in the Midland town; it was not the refiner in Liverpool, for there was the same competition by sea. The fact was that no one was injured. Another hon. Member referred to timber, and said that foreign timber was carried at a lower rate than home-grown timber. But the articles were not the same. The foreign timber was cut and stowed easily, whilst the home-grown timber was as it fell, and therefore was carried at a very great cost. That was the reason for the difference of charge between home-grown and foreign timber. Another hon. Member spoke of manure, and said that artificial manure was charged a higher rate than the common manures. Now, the artificial manure that the hon. Member wanted to be carried at the same rate, and at the risk of the Companies, was an article worth nearly 200 times as much per ton, and required great care in the carriage in order to keep it dry and in good order. Under such circumstances, was it strange that Committee after Committee upstairs had authorized Railway Companies to charge higher rates for artificial manure than for street sweepings and common manure? He merely rose, however, for the purpose of correcting the mis-statements which had been made that evening, and to express his belief that the Railway Companies would not object to a Bill founded upon the Report of the Railway Rates Committee of 1881-2, and that they would not object in any sense to the Railway Commission being made permanent, provided they had the right of appeal.

MR. RAMSAY thought that his hon. Friend had failed to recognize the ground of complaint. The reasons assigned might explain, but could not justify, the charges complained of. The farmers round Glasgow, and the people whom they supplied, did not see why the Railway Company should be allowed to charge them more for the conveyance of articles of home produce than for goods of the same description coming from New York or other foreign ports. With regard to manures, the object was to secure that all kinds of manure should be conveyed into the country at the same rate of charge.

MR. FINDLATER said, the Commission had ably and impartially discharged their duties, and hoped that powers would be given them to enforce their orders. The necessity of having this power was brought home strongly to his mind by the action of the Midland Great Western Company of Ireland towards a small Company, the Dublin and Meath, of whose line they were lessees. The Midland Company had consistently pursued a policy of starving the leased line, with the object of being able to purchase it at a reduced price. An order was recently made by the Railway Commissioners, directing the Midland Company to accelerate the trains upon the leased line by 20 minutes, and the way in which they obeyed the order was by slowing them for the same time. He cordially supported the Motion of the hon. Member for Banbury.

Question put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

*Resolved,* That it is expedient that the Railway Commission be made permanent and a Court of Record; and that, in general conformity with the recommendations of the Committee, the powers of the Commission be extended; and, that, on application by a Railway undertaking for Parliamentary powers, a locus standi be afforded to Chambers of Commerce and Agriculture, and similar bodies, and to persons injuriously affected by the rates and fares sought or already authorised in the case of such undertaking.

## *MOTION.*

—:o:—

### SUPPLY.

Motion made, and Question proposed, "That this House will, upon Monday next, resolve itself into the Committee of Supply."—(*Lord Richard Grosvenor.*)

LORD RANDOLPH CHURCHILL asked why the Government had departed from the practice carried out every Friday since the House met this Session—namely, to move at once that the House resolve itself into Committee of Supply? If this new practice were continued, it would be in the power of the Government to burke every Motion on the Paper, and the rights of private Members would be reduced to a perfect farce. The present occasion was a strong case in point, because before dinner that evening the Chancellor of the Exchequer gave hon. Members expressly to understand that the Government would endeavour to get some Votes in Supply, and several Members had in consequence come down to take part in the discussions upon those Votes. It was against all understanding on which it was possible to carry on the Business of the House that certain arrangements should be made, and that late in the evening the noble Lord the Secretary to the Treasury should rise and upset them without Notice. It was, he repeated, perfectly understood that the Government would endeavour to get Votes in Supply up to a certain hour that night, and it was too bad that that understanding should be upset, because, probably, some little thing had occurred which was not satisfactory to the Government. He therefore moved, as an Amendment, that the House at once resolve itself into Committee of Supply.

MR. WARTON seconded the Motion, on the ground that the House ought to have had some intimation of what the Government really meant to do, and because he was exceedingly anxious to get the opinion of the House on the way Business was done with regard to Bills brought down from the House of Lords.

Amendment proposed, to leave out the words "upon Monday next," in order to insert the word "immediately,"—(*Lord Randolph Churchill,*)—instead thereof.

Question proposed, "That the words 'upon Monday next' stand part of the Question."

MR. GLADSTONE said, he declined to endorse the doctrine that the Government were bound to renew the Motion to go into Committee of Supply. It was not supported by authority, and no precedents had been adduced. On the present occasion there was a strong reason why the Government, so far as they could control the time of the House, should now proceed with other Business. The Chief Secretary to the Lord Lieutenant of Ireland desired to proceed with the Motion for introducing the Constabulary and Police (Ireland) Bill, the debate on which had been adjourned after the important division that morning. This was a matter of great importance at present, and it was the absolute duty of the Government to take the earliest opportunity of laying it before the House. The engagement the Government entered into had been strictly kept. It was that the Government would endeavour to obtain Supply if they could do so before 11 o'clock, which hour had passed. The time was named with the object of consulting the convenience of hon. Members from Ireland who were specially interested in the Bill. He hoped the noble Lord would see the reasonableness of conforming to the understanding which had been come to so distinctly, even to the naming of the hour.

MR. CAVENDISH BENTINCK thought he could cite authority in support of the doctrine repudiated by the Prime Minister. This question of the obligation of the Government to repeat the Motion for Supply was one he had raised on former occasions. In 1861, under the Leadership of Lord Palmerston, arrangements were made which were favourable to the Government, and which abrogated the rights of private Members. Up to that time, Thursday night was a private Members' night, and they had the right to raise any question on the Motion for the Adjournment of the House. Lord Palmerston took Thursday nights for the Government, and provided by Standing Order for the adjournment from Friday to Monday, so that no discussion could take place on the Motion to Adjourn; but, as a compensation, he gave private Members fuller rights on Supply. It was distinctly held out to private Members that Government should be bound to renew the Motion of Supply. It was obvious that if the Government assented to an Amendment, and did not renew the Motion for Supply, as they abstained from doing both now and last week, private Members were deprived of the opportunity of bringing on Motions. He voted against the change then proposed, but the Opposition were defeated. Some years afterwards, when Mr. Denison was Speaker, the Prime Minister endeavoured to encroach on the rights of private Members, and the Speaker distinctly decided that it was the custom of the Government on Friday to repeat Motions of Supply. It was very singular that the debate on this point did not appear in *Hansard*, although it was in *The Times.* He did not wish to use un-Parliamentary words; but he must say that the sharp practice of the Government in bringing in Bills from the House of Lords without Notice, and putting them on the Paper without any power of discussion, was very unusual. He should be slow to impute sinister motives to the right hon. Gentleman at the head of the Government, but there could be no doubt that he had a strong idea of limiting the rights of independent Members. If this were permitted, the rights of private Members would be at an end, and all that would remain for them to do would be to register the dictates which proceeded from the Ministerial Bench.

Mr. O'DONNELL said, that the Prime Minister displayed a most remarkable anxiety to take the Police Bill at a very early hour that night, in order to give an opportunity for its full discussion, although they were quite ready to rush it through at a late hour on the previous night, when no person could discuss it. Of course, it would not be right for him to say that the Prime Minister wished to suppress a discussion on jury-packing in Ireland, a Motion in reference to which stood in his name; but as the right hon. Gentleman was not generally supposed to be a statesman without guile, persons would be inclined to regard his Motion in that light. Only this week the Government, interfering with private Members' nights, made a seizure for a purpose, the true value of which was duly appreciated on a recent occasion. They now came down and attempted to appropriate Friday. They must take this present proposal of the Government in connection with the other proposal to take Tuesday night. To-night, however, was a private Members' night, and the course taken by the Government in refusing to set up Supply again would be regarded both within and outside of Ireland as a device to prevent the discussion of an important branch of maladministration there. Talking of Government maladministration in Ireland might be very inconvenient to the Ministry at the present time; but there was no doubt whatever that in Ireland the policy of Her Majesty's Government——

Mr. SPEAKER: The hon. Member must confine himself to the subject before the House.

Mr. O'DONNELL: I was using the argument that the policy of Her Majesty's Government in Ireland——

Mr. SPEAKER: The hon. Member must confine himself to the subject before the House.

Mr. O'DONNELL said, it was quite evident that the Premier, with the evident concurrence of his Chief Secretary, was most anxious to press forward this Police Bill now, at a time when the Irish Members would have had an opportunity of bringing forward some important grievances, of which Notice had been given. Of course, if the discussion was now suppressed, they should take another opportunity to bring those grievances under the Notice of the House. In his opinion, the time had come for private Members to form combinations to defeat the continual conspiracies which, if not hatched on the Treasury Bench, were certainly hatched in its immediate vicinity.

Sir H. DRUMMOND WOLFF said, he must protest against this additional manœuvre on the part of the Government. The Government, which had itself passed Rules for the better transaction of Business, was obliged to resort to a trickiness which was unworthy of it.

Mr. GLADSTONE: I rise to Order. The hon. Gentleman says that the Government are obliged to resort to trickery. I ask, Sir, if that language is in Order?

Lord RANDOLPH CHURCHILL, on the point of Order, asked whether the right hon. Gentleman the Member for South-West Lancashire had not the other day charged the Government with having resorted to a despicable trick, and not been ruled out of Order?

Mr. SPEAKER: I am sorry to hear the expression of the hon. Member, but I cannot say that he is out of Order.

Sir H. DRUMMOND WOLFF thought that the Government were rather thrown off their balance by recent events. In Sir Erskine May's work it would be found laid down that Fridays were reserved for private Members. Now they proposed to postpone Supply, on which the discussions of private Members usually took place, until Monday, when, under the New Rules, no subject not connected with the Navy Estimates, which were then to be brought on, could be discussed.

Mr. LEAMY said, it was most unreasonable that Supply should be put off when there was an opportunity of discussing it. The effect of this would be that after Whitsuntide a Minister would come down and ask for Votes on Account.

Mr. J. LOWTHER said, the House ought to consider the situation without regard to the special Motion or measure which was affected. If the Government wished to introduce an important Bill, they had sufficient facilities, by means of a Morning or Evening Sitting or a Saturday Sitting, of doing so without interfering with the rights of private Members or infringing the Standing Orders. It was a dangerous principle to set up that it was desirable to do evil that good might come, and the House were bound to protect the safeguards which secured to private Members their few remaining rights and privileges. He could conceive no occasion which would justify the Government in setting at nought the Standing Orders of the House. The House were willing to assist the Government in pressing forward any measure of public importance; but the Government ought to avail itself of facilities they already possessed without infringing on the Standing Orders.

The Marquess of HARTINGTON declined to follow the right hon. Gentleman into a discussion as to the boundless amount of time at the disposal of the Government. That time consisted of Monday, Thursday, and as much of Friday as they could get. Moreover, although the Government had the power to settle the order in which the Business should be taken on their own night, they had no control over the amount of time which the right hon. Gentleman and his Friends might occupy in discussing that Business. The right hon. Gentleman had spoken as if the Government were doing something in transgression of the Standing Order; but, surely, he could not have read it, as, in point of fact, it said nothing about the necessity of renewing the Order for Supply after it had been superseded by an Amendment. Again, Sir Erskine May's work, to which reference had been made, went against the contention raised on the other side, inasmuch as it stated that it was the exception, and not the rule, to set up Supply again on the same night. As to the particular case, he would point out how much foundation there was for the assertion that the Government were attempting to deal unfairly with the House. If it had not been for the special exertion of the Government no House would have been kept that evening at all. The Government had been simply endeavouring to carry out the undertaking given by the Chief Secretary to the Lord Lieutenant of Ireland last night to bring forward, at a reasonable hour that evening, the discussion on his Motion for leave to introduce an important measure relating to Ireland.

Mr. A. J. BALFOUR thought it very unfortunate that this question had come up in so unexpected a manner in a very thin House. The action of the Government really amounted to a second attack in the course of the week on the rights of private Members. The usual practice was perfectly well understood. The Government put down Supply on Friday as the first Order of the Day, and up to any reasonable hour of the night private Members were allowed to discuss Amendments on the Motion for going into Committee. If the Government, by the mere fact of accepting the first Amendment, had the right to burke private Members' Motions, he should like to know what the privilege of private Members was worth? It would be convenient if some Member of the Government not only gave them a general view of this question, but also cited the precedents on which that view was founded. He understood the right hon. Gentleman to say that it had been the habitual practice of the House. [Mr. Gladstone dissented.] Then he repeated his challenge to the Government.

Mr. CAUSTON said, hon. Members opposite came down to the House, and from time to time expressed their anxiety to preserve the rights of private Members. He (Mr. Causton) was a private Member, and he was anxious his rights should be preserved; but he was bound to say that, in his opinion, the way to preserve his rights was not to abuse them. Night after night, and week after week, the rights of private Members were abused by those who professed a desire to preserve them. He wished to ask any Member of the House whether the rights of private Members had not been abused that night by the right hon. Gentleman the Member for North Lincolnshire (Mr. J. Lowther) and the right hon. and learned Member for Whitehaven (Mr. Cavendish Bentinck), and also by hon. Gentlemen sitting below the Gangway opposite? The hon. Member who had just spoken (Mr. A. J. Balfour) came down to the House, and, without having heard at all what was going on, charged Her Majesty's Ministers with great neglect, and with abusing the rights of private Members. He (Mr. Causton) trusted that the time of the House would not be wasted by such unsatisfactory discussions as now proceeded night after night; and that, if they did continue, the Prime Minister would, at the earliest possible moment, take away some of the nights which at present belonged to private Members, and devote the time to the benefit of the public service.

Mr. EDWARD CLARKE said, Her Majesty's Government must be very much encouraged by the speech of the hon. Member for Colchester (Mr. Causton), because it evidently marshalled them in the way they were going. They were interfering that night with the habitual rights—he did not say the rights as defined by the Order when it was read, but with the habitual rights of private Members on Friday nights; and they were doing it at a time when they had, by their own action, provoked an examination of their conduct. On Tuesday evening, by an arbitrary exercise of power on the part of the majority, the rights of private Members were taken away. The Government were complaining that they were unable to make progress with Public Business. They had themselves deliberately wasted four nights in discussing a Bill which they knew had no chance whatever of being placed in the Statute Book; and now they came down on a Friday, and, early in the evening, when there were two matters of considerable importance down for discussion, suggested that the House should pass to the discussion of a Government Bill. The Bill might be a good one, and of considerable importance; if so, let it be brought on in Government time. It was clear that, if the present Motion were adopted, Friday would go the way Tuesday had already gone. The Government had more than half the House amongst its followers, and it only required that in the ballot one or other of their supporters should get first place, in order that a Friday should be useless so far as private Members were concerned. It was not a question respecting the relative importance of the right hon. Gentleman's Bill and the Motion on the Paper with regard to jury-packing in Ireland; it was not a question affecting that night only, but one affecting every Friday night. He hoped a division would be taken, in order that some distinct and definite protest would be made by the House against the action of the Government.

Mr. MOLLOY said, he thought it would occur to the Speaker that they were now entering upon one of those technical discussions upon the Rules of the House which generally ended in making the Rule more doubtful than before, without any satisfaction resulting to either side of the House. Looking at the matter from a practical point of view, he had come to the conclusion that, so far as Business was concerned, there was very little chance of any good purpose being served by the present Sitting being prolonged. Holding such a view, and considering the late nights they had all kept of late, he thought it would be well for them to seek rest, and stop this useless discussion upon old and new Rules, which, he freely admitted, he never did understand, and never could. With that object, he would move the Adjournment of the House.

Mr. BIGGAR said, he had great pleasure in seconding the Motion.

There were many reasons why the House should now adjourn. A chief reason was that last night the Government were in a small minority; and it was only fair and proper that the Prime Minister should have ample opportunity of consulting his Colleagues, between now and Monday, as to whether the House should be asked by them to transact any other important Business. The right hon. Gentleman the Chief Secretary for Ireland might introduce his Bill to-night; and, for all they knew, on Monday they might find that he and they had simply wasted their time.

Mr. SPEAKER: The Question before the House is the Adjournment of the House. The hon. Gentleman must confine himself to that Question.

Mr. BIGGAR said, he wished to afford Ministers an opportunity of consulting, between now and Monday, as to whether or not they would ask the House to support any other measures which they had introduced, or which they intended to introduce during their tenure of Office, which they must now expect to be very short.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Molloy.*)

Lord RANDOLPH CHURCHILL said, he supported the Motion for Adjournment; and he was extremely glad that the hon. Member for King's County (Mr. Molloy) had, by the Motion he had made, afforded the Opposition an opportunity of putting its foot down at once against the tyrannical proceedings of the present Government. It was a long time since they had had an opportunity of endeavouring to resist the manner in which the Government arranged the Business of the House, and for that reason he was inclined to support the Adjournment. He supported the Adjournment, too, because the Prime Minister had proposed to the House a course which was unprecedented, for which the right hon. Gentleman had not cited a single precedent. The Prime Minister was content to give his own *ipse dixit* to the House, and to say—"You must take that at my bidding." He (Lord Randolph Churchill) supported the Adjournment, because the House of Commons was not accustomed to be treated in such a way until the advent of the present Parliament. The Prime Minister must learn, and the noble Marquess (the Marquess of Hartington) must learn, that the House of Commons might be led, but that it was not to be driven. ["Question!"] That was the Question, and that was the reason he was giving to the House for supporting the Adjournment. He supported the Adjournment for another reason; and that was, that it was extremely questionable whether hon. Members on his side of the House were not thoroughly justified in resorting to all the Forms of the House in order to prevent Her Majesty's Government proceeding with Business after having been placed twice in a most discreditable and disgraceful minority. He supported the Adjournment, because it had been proved that, for the last three months, on no question of public importance could the Government command the confidence of the House of Commons.

Mr. BUCHANAN said, he wished to give his reasons why he should vote against the Motion for Adjournment. He should oppose the Motion, in order that they, on his side of the House, might enter their protest against the unholy alliance which had been formed by hon. Gentlemen opposite. There were three Parties to that unholy alliance, and the present Motion for Adjournment was one of the consequences of that alliance. He should take the liberty of reverting to a few facts that had taken place within the last week. On Monday last——

Viscount FOLKESTONE rose to Order, and submitted that the hon. Gentleman was not talking to the Question before the House.

Mr. BUCHANAN said, he was endeavouring to give his reasons for opposing the Adjournment; he was endeavouring to show that the policy of the Party opposite was the justification of the opposition to the Motion. On Monday last, they listened to a speech from the noble Lord opposite (Lord Randolph Churchill)——

Mr. SPEAKER: The hon. Member is bound to confine himself to the Question before the House.

Mr. BUCHANAN said, his reason for opposing the Adjourment was that it was one of the consequences of the alliance formed on the opposite side of the House. That unholy alliance consisted of hon. Gentlemen sitting above and below the Gangway, of the Irish Members, and of that small Party led by the noble Lord the Member for Woodstock himself. The Irish Members had lent a helping hand to the Opposition, and so had discharged their duties in the alliance. Now the noble Lord, in return, had come to the assistance of his Irish Friends, and was about to fulfil his part of the compact.

MR. HARRINGTON said, that, to justify himself in opposing the Motion for the Adjournment of the House, the hon. Gentleman who had just sat down (Mr. Buchanan) referred to what he was pleased to call an "unholy alliance" which had been formed on the Opposition side of the House. Doubtless, the hon. Gentleman had forgotten the very unholy alliance to which he and his hon. Friends had been parties of late. If the hon. Member had no better argument for opposing the Motion before the House than the fact that hon. Gentlemen on the Opposition side of the House were for once united in resisting the continuous encroachments that were being made upon the rights of private Members, he did not go far to look for arguments. The Motion made by the hon. Member for King's County (Mr. Molloy) was a very rational one, and must commend itself to the judgment of the House. He (Mr. Harrington) had no doubt whatever that, if it was put to the vote of the House, the hon. Member for Edinburgh (Mr. Buchanan) would find that the alliance to which he had pointed was a very powerful and formidable combination, and that, no matter how widely hon. Gentlemen in that quarter of the House might differ on political questions, they still had some respect for the rights of private Members. The hon. Member would find that the different Parties composing the Opposition, or the "unholy alliance," had some contempt for the alliance that had been witnessed during the past few weeks between the Government and Mr. Bradlaugh. He would find, too, that there was a great contempt for the efforts which were being made, from time to time, to deprive private Members of every right they had of drawing attention to their several grievances.

MR. SPEAKER: The Question before the House is the Motion for Adjournment. The hon. Gentleman must confine himself to that Question.

MR. HARRINGTON said, he was about to appeal to the Government to agree to the Motion that had been made. The right hon. Gentleman at the head of the Government must see that, instead of gaining time by the manœuvres with which of late he had surprised the House, he would only lose time, and that the most rational course to adopt with the view of promoting Public Business would be to agree to the Motion for the Adjournment of the House.

MR. CAVENDISH BENTINCK said, the hon. Member for Edinburgh (Mr. Buchanan) had charged the right hon. Gentleman the Member for North Lincolnshire (Mr. J. Lowther) and himself with being parties to some alliance. He desired to give the statement the flattest contradiction. If the hon. Member for Edinburgh had been in the House when he (Mr. Cavendish Bentinck) addressed some observations to the Chair, he would have heard that he simply argued that, according to precedent, the Government were bound, on Friday nights, to renew Supply when it had been once negatived. He recommended hon. Gentlemen opposite to study a question before they expressed an opinion upon it.

COLONEL KINGSCOTE, as a Member of the House of over 30 years' standing, trusted that the House of Commons was no longer to be a bear garden. He had no desire to impute motives; but hon. Gentlemen who came in late and only heard a few moments' discussion did impute motives to the Prime Minister. The right hon. Gentleman the Member for North Lincolnshire (Mr. J. Lowther) tried to throw some oil on the troubled waters; but, at the same time, he endeavoured to sting the Government. He (Colonel Kingscote) did not believe that what the Government had done that night was at all unprecedented, and yet an hour and three quarters had been wasted in discussing what they had done. The motives of hon. Gentlemen opposite, in the course they were pursuing, was quite evident. The right hon. Gentleman the Chief Secretary for Ireland desired to introduce a measure regarding the Irish Constabulary, and that was the real reason why hon. Members from Ireland were now opposing the Government. He blamed those hon. Members above the Gangway on the Opposition side of the House who, on that occasion, had supported the endeavours of the Irish Members, and thus added fuel to the fire. At 10 minutes past 10 o'clock, when the debate on the Railway Rates Question was brought to an end, no one was ready to bring any other Motion forward; and between that hour and the present (10 minutes past 12) the Chief Secretary to the Lord Lieutenant would have had ample time in which to introduce his measure. Some work would then have been done. He believed the Government were quite right on the present occasion, and that there was precedent for what they were doing.

Mr. J. LOWTHER said, he agreed with the hon. and gallant Gentleman (Colonel Kingscote) that it was most desirable the House of Commons should not lapse into a bear garden; but he could not conceive any better means of avoiding that undesirable contingency than a scrupulous adherence to the practice of Parliament. The noble Marquess the Secretary of State for War (the Marquess of Hartington) had charged him (Mr. J. Lowther) with having misled the House as to the Standing Orders of the House. The noble Marquess said the Standing Orders of the House contained no *dictum* upon the question now under consideration, and he proceeded to say that the interpretation of the Standing Orders to which they were in the habit of referring—["Question!"] He was perfectly in Order in referring to the Standing Orders in replying to the observation that the interpretation——

Mr. SPEAKER: The observations of the noble Marquess (the Marquess of Hartington) were made in the debate on the Main Question. The Main Question is not now before the House, therefore the right hon. Gentleman is not in Order. The Question now before the House is that of Adjournment.

Mr. J. LOWTHER said, he would endeavour to confine himself to the Question, and would not further allude to the speech of the noble Marquess. The hon. and gallant Gentleman (Colonel Kingscote) talked of hon. Members on the Opposition side of the House being actuated by the object of retarding the introduction and passing of a measure which the Chief Secretary to the Lord Lieutenant of Ireland desired to bring forward. So far as he (Mr. J. Lowther) was concerned, that was a most unwarrantable charge. The hon. and gallant Gentleman could scarcely have been in his place, when he (Mr. J. Lowther) most emphatically said he should most earnestly support Her Majesty's Government in promoting, in any legitimate manner—in a manner in consonance with the letter and spirit of the Orders of the House—the measure to which reference had been made. He thought he was in Order in repudiating in terms, he would not say of indignation, but certainly in terms which could not be open to misconstruction, his emphatic repudiation of the charge which the hon. and gallant Gentleman had made, no doubt unwittingly, so far as he (Mr. J. Lowther) was concerned. He trusted the House would consider the question wholly apart from the merits of the particular proposals which stood in the name of the hon. Member for Dungarvan (Mr. O'Donnell) and of the Chief Secretary to the Lord Lieutenant of Ireland, and would regard it entirely as a Question of Adjournment, as a protest against the unprecedented action of Her Majesty's Government in setting at naught the letter and spirit of the Orders of the House.

Mr. T. P. O'CONNOR said, he was sorry the example of the hon. and gallant Gentleman opposite (Colonel Kingscote) was not as good as his precept; for, while complaining of the imputation of motives, he imputed motives to hon. Gentlemen on the Opposition side of the House. The principal motive the hon. and gallant Gentleman imputed to the Opposition was a desire to retard the introduction of a certain Bill, to which he (Mr. T. P. O'Connor) could not now allude to in detail. He would tell the hon. and gallant Gentleman that as to the Irish Constabulary Bill hon. Gentlemen from Ireland had expressed no opinion whatever. At the proper time they would be prepared to discuss the merits of the Bill. They were fully aware that the Bill would be introduced at some hour of the night, and that, in what they were now doing, they were only keeping themselves a little longer out of bed; for they would be obliged, in the performance of their duty, to wait until the measure was introduced. He (Mr. T. P. O'Connor) and his hon. Friends were not, intentionally, at least, retarding the introduction of any particular Bill; but they were resisting what they considered an attempt on the part of the Government to filch away whatever opportunities private Members had of discussing what were to them matters of importance. [Mr. GLADSTONE: Question!] He was surprised the right hon. Gentleman should give an example of bad manners.

MR. SPEAKER: The hon. Member for Galway Borough has made use of an expression which is un-Parliamentary, and will probably wish to withdraw it.

MR. T. P. O'CONNOR said, he begged to withdraw the hasty expression which had been used by him. He thought, however, the right hon. Gentleman was not justified in interrupting him by cries of "Question!" at a moment when he was endeavouring to address himself to the subject under discussion. Were they not then discussing the power of the Government to take away the right of private Members, in respect of bringing forward their Motions on Friday?

Mr. SPEAKER: The hon. Member is addressing himself to the Main Question, which has been superseded by the Question, "That this House do now adjourn."

MR. T. P. O'CONNOR said, under those circumstances, he would reserve his observations.

SIR H. DRUMMOND WOLFF, in answer to the hon. Member for Edinburgh (Mr. Buchanan), said, he repudiated the accusation that he and his hon. Friends had concluded a kind of Kilmainham contract. The Prime Minister had interrupted his hon. Friend the Member for Hertford (Mr. A. J. Balfour), when he said that the word "general" did not imply that the practice had been habitual in the House. His (Sir H. Drummond Wolff's) object in rising was to find means of avoiding the Adjournment if possible. If the right hon. Gentleman would point out to the House whether it had really been habitual for the Government to act in the way they had done that night the question was at an end. The right hon. Gentleman, in interrupting his hon. Friend, said that the practice was habitual. He (Sir H. Drummond Wolff) merely asked the right hon. Gentleman to state whether it was to be a permanent arrangement of the Government to take precedence after one Motion had been disposed of, or whether the Act of the noble Marquess (the Marquess of Hartington) was merely accidental or exceptional? And he thought if some assurance were given on that head it might tend to allay the excitement which existed.

Question put.

The House *divided*:—Ayes 49; Noes 83: Majority 34.—(Div. List No. 83.)

Question again proposed, "That the words 'upon Monday next' stand part of the Question."

MR. T. P. O'CONNOR said, a short time ago, when he was called to Order by Mr. Speaker, he was endeavouring to point out the serious consequences of the precedent now being set up by the Government. As he understood the effect of the action which the Government were now urging on the House, it would be that the Government could, on Friday nights, absolutely destroy those rights of private Members which the Rules of the House bestowed upon them. The Motions of private Members were brought forward on the Motion for going into Committee of Supply; and all that the Government would have to do was to propose that they should be postponed to another day, which was, practically, to postpone them till the Greek Kalends. He could not understand why they had adopted the course they were taking that evening, unless it was that they were anxious to defer the Motion of his hon. Friend the Member for Dungarvan (Mr. O'Donnell). But why did they shrink from meeting the charge of jury-packing in Ireland? The Government had trampled on the rights of private Members by taking last Tuesday away from them for the purpose of the debate on the Affirmation Bill; but, then, that had been done in accordance with precedent, because due Notice was given, and the Prime Minister rose in his place and moved, and his Motion was subjected to discussion. But, on the present occasion, without any precedent, at least of any importance, in recent times, the right hon. Gentleman asked the House to destroy the rights of private Members as to Friday night. That appeared to him (Mr. T. P. O'Connor) a most improper and pernicious course for the Government to adopt. ["Oh, oh!"] It was all very well for the thick-and-thin supporters of the Government to affect political warmth, and try to divert the House from the real point of discussion. The reference to an "unholy alliance" by the hon. Member for Edinburgh (Mr. Buchanan) was an instance of that. But he would remind the House that hon. Members opposite, and right hon. Gentlemen on the Treasury Bench, had been very indignant when they were accused of the alliance known as the "Kilmainham Treaty;" and, therefore, it would seem that all hon. Members on those Benches were to be treated as political lepers, whom all decent politicians were to avoid. His only reason for rising, however, was to ask for some sort of reply from the Government on this matter. The real question was as to whether they were to allow the Government to set up a precedent for filching away the rights of private Members; and, on that question, hon. Members were perfectly justified in making a firm and determined stand against the action of the Government. The course taken by hon. Members on those Benches was based solely upon the merits of the particular question before the House—it was dictated solely by the desire to preserve the rights of private Members. They had no ulterior object with regard to any measure which the Government might have to bring forward; they were quite ready to discuss that measure fairly, and upon its merits; but they would not allow it to be reached until the House had had an opportunity of discussing fully the extraordinary action of the Government.

Mr. WILLIS said, that hon. Members from Ireland had made several attempts to dissolve the House in the course of the evening. The hon. Member for Cavan (Mr. Biggar) had asked him (Mr. Willis) to stay away, for the purpose of putting an end to the debate.

Mr. BIGGAR: Sir, I rise to Order. The hon. Member promised to stay away.

Mr. WILLIS: I did not stay away.

Mr. BIGGAR: You promised.

Mr. SPEAKER: I must call on the hon. Member for Cavan (Mr. Biggar) not to interrupt.

Mr. WILLIS said, for a few minutes he had been inclined to acquiesce in the suggestion of the hon. Member for Cavan (Mr. Biggar), who told him there was a private reason why the House should not continue. But as soon as he found what the object of the hon. Member was——

Lord RANDOLPH CHURCHILL: Sir, I rise to Order. I wish to know whether the remarks of the hon. and learned Member for Colchester (Mr. Willis) have anything to do with the Question before the House?

Mr. SPEAKER: I am bound to say that the hon. and learned Member is wandering from the Question.

Mr. WILLIS said, in that case, he would conclude with one observation. From what he had noticed that evening in the House, he thought the Government had earned the right to select a particular subject for consideration; and he trusted the House would assent to the Motion for Supply being taken on Monday.

Mr. O'BRIEN said, he was not sufficiently informed in the niceties of technical manœuvring to offer any opinion on what an hon. Member had described as a "trick" on the part of the Government. But, on the ground of the rights of hon. Members generally, and particularly the very limited rights of Irish Members, he thought hon. Gentlemen on those Benches had every justification for protesting, in any way open to them, against this proposal of Her Majesty's Government. On Tuesday evening last, they had been deprived of the opportunity of discussing one Irish subject; and to-night an attempt was made to deprive them of an opportunity—a clear right—to discuss another question of the very highest importance and urgency. It was all very well for the Government to assume an air of injured purity; but if it was to be said that the Irish Members wanted to rid themselves of the Police Bill, which the right hon. Gentleman opposite (Mr. Trevelyan) was to introduce to-night, they might fairly retort that this was a deliberate attempt on the part of Ministers of the Crown to shirk the discussion of a very inconvenient Irish subject, and that they would have had a discussion on the Motion of the hon. Member for Dungarvan (Mr. O'Donnell) only that their complaint was much more easily made than answered. There was only one other subject to which he wished to refer. He desired to say that if this Motion were persisted in, whatever might be thought in the House, the people of Ireland would think that they preferred the interests of the Irish Police to the privileges of the Irish Members, or to the rights of the Irish people in a very important matter; and that there was an attempt, at one and the same time, to obtain better pay for the policemen, and to guard their officials from the charge of jury-packing.

Mr. SPEAKER: I must remind the hon. Member (Mr. O'Brien) that he is not adhering to the Question before the House.

Mr. O'BRIEN said, he was sorry to have wandered in any way from the Question. He only desired to say, so far as the excuse went, that if the Chief Secretary to the Lord Lieutenant of Ireland wished to do some Irish Business—even though it were Police Business—he could only say that the Irish Members were willing to wait up to any hour to take it. They were there to do the Business of the Irish people, and were prepared to take these measures at any hour; but they were, at the same time, entitled to remind the House that there was Irish Business to be done more pressing and more important than giving more pay to policemen.

Mr. E. S. HOWARD asked how they were to believe what hon. Members opposite were saying? ["Order!"]

Mr. T. P. O'CONNOR: I rise to Order, Sir. I wish to ask whether the hon. Member (Mr. E. S. Howard) is entitled to attribute falsehood to other hon. Members of this House?

Mr. E. S. HOWARD: I attribute none.

Mr. SPEAKER: If the hon. Member intended—which I cannot imagine he did—to impute want of truth to any body of Members of this House, of course he is out of Order.

Mr. E. S. HOWARD said, he did not wish to attribute untruth to anyone; but he would ask if hon. Members from Ireland were in earnest in saying they wished to discuss the Motion of the hon. Member for Dungarvan (Mr. O'Donnell), seeing that no less than four of them had that evening endeavoured to count out the House?

Mr. GRAY said, the House had been occupied two hours on this subject, showing the marvellous capacity of the present Government for starting propositions which wasted the time of the House, with the intention, or under the pretext, of saving time. He would not go into the arguments which had been very strongly urged and fairly put in defence of the rights of private Members; but he would like to ask the House to consider for a moment what the precise position was with regard to the Business upon the Paper for discussion that evening. If the Motion of the Government were carried, all the Notices of Motion which stood on the Paper for discussion, of course, went by the board. They knew the anxiety of hon. Members to secure evenings for the discussion of their Motions. They balloted for them month after month, and a Member considered himself extremely lucky if he secured even a chance of bringing forward a Motion. The Motions which would, in the natural course, have come on that day would practically disappear, not only for that night, but for the Session, if the proposition of the Government were carried. If the proposal were withdrawn, or negatived, would the course of Public Business be delayed by one single day? Certainly not. All that hon. Members could be possibly deprived of would be a full statement by the right hon. Gentleman the Chief Secretary for Ireland. They would have a concise statement, instead of a full one, as the period of the night would render brevity desirable. Last night the right hon. Gentleman had been perfectly prepared to introduce his Bill without any lengthened statement, and if he could have secured a first reading he would have done so. To-night, however, no matter how late the period at which it was brought on, it would not be in the power of the small section of the Members who might be opposed to the measure to prevent its being proceeded with, and to prevent the right hon. Gentleman securing for it the only stage he could secure. It could be taken, therefore, at whatever hour it was brought on; while the effect of the Motion of the Government would be to stifle discussion, and prevent a subject coming on which they could not deny was of the greatest importance, however unpalatable it might be to the right hon. Gentleman, and however embarrassing it might be to find an answer to what might be said upon it. The Government had not ventured to deny that the Notice of the hon. Member for Dungarvan was of great importance; and whilst the Government Motion would stifle discussion on it, the resistance of the Irish Members to the Government Motion, if successful, would not interfere in the least with the progress of Public Business. Let that be thoroughly understood. The hon. and gallant Member for West Gloucestershire (Colonel Kingscote) declared that, from his 30 years' experience in the House, he knew perfectly well what the motive of the Irish Members was. It was, he said, to prevent the bringing on of the Police Bill. Well, that certainly was not his (Mr. Gray's) motive. He desired to see the Bill brought in. He did not want to discuss it; but he had no hesitation in saying that the position of the police in Ireland required improving, and he should be glad to see it improved. It was not right to impute unworthy motives to hon. Members as the hon. and gallant Member for West Gloucestershire had done; but, even assuming that they desired to impede the Bill, it was not in their power to do so. The Government did not wish to take two stages of the Bill that night—they did not wish to pass the first reading, suspend the Standing Orders, and pass the second reading that night. And it could not be contended by them that they did not desire to take the measure at a late hour because the speech of the Chief Secretary for Ireland would not be reported. At whatever hour the right hon. Gentleman spoke he would be reported. Everything that fell from his lips was always well reported. The position he occupied in the House was such that he was certain of full publicity for any statement he made. The proposal of the Government was not merely a serious device—perhaps not unprecedented, although it was unusual—but it was one involving an interference with the privileges of hon. Members, and involving a stifling of discussion, without securing any sufficient advantage. The Government, if they carried their Motion, only wanted to deal with the Police Bill. Well, let them deal with that after the Motion of the hon. Member for Dungarvan had been disposed of. No blocking Notice could prevent them taking it at a late hour. It could be taken at 2 o'clock in the morning as easily as at 7 o'clock in the evening. If the Government had not started the present debate, in all probability the Motion of the hon. Member for Dungarvan would have been disposed of by this time, and the House would have been considering the Police Bill. That was not the first time he had known the Government provoke angry feeling by Motions of this kind, and then complain of waste of time, which was solely owing to their own want of discretion. He would appeal to the Government to leave to the Irish Members the privilege and right they should enjoy of discussing an important question, particularly seeing that that discussion would not delay the matter the Government were interested in.

Mr. HARRINGTON said, he wished to offer a few observations upon the importance of insisting upon the privileges of Irish Members not being done away with in the manner in which it was now proposed to do away with them. He had hoped that if the hon. Member for Dungarvan (Mr. O'Donnell) had had an opportunity of bringing forward his Motion that evening, they would have been able to draw the attention of the Prime Minister to a state of things existing in Ireland which, no doubt, he would not sanction if he were only as intimately acquainted with it as hon. Members from Ireland were. [" Question ! "] He would not endeavour to speak on the Motion of which the hon. Member for Dungarvan had given Notice; but he must protest against the persistent manner in which Her Majesty's Government endeavoured to stifle discussion on every subject which was raised in the House of Commons by Irish Members. Irish Members now could only raise matters affecting their country by putting Questions occasionally to the right hon. Gentleman the Chief Secretary for Ireland; and it very often happened that the information they received in that manner was of so scant and untrustworthy a character that it conveyed anything but an accurate impression to the House of the state of things in Ireland. If they were further advanced in the Session, there would be some reason for the proposal which was now made on behalf of the Government; but, as they were at a very early period, he confessed he could see no justification for the course which had been adopted. He did not see the urgency of the Bill which the right hon. Gentleman the Chief Secretary for Ireland was to introduce that evening, in regard to which, for himself and for his hon. Friends sitting near him, he wished to disclaim any spirit of opposition. It was not the intention of hon. Gentlemen representing Irish constituencies to offer any opposition to the introduction of the Government measure. All they were protesting against now was the continued interference of the Government with the rights of the Irish Members. They were in no way animated by a spirit of opposition to the Police Bill; on the contrary, they were anxious to see it discussed; but they would be unfaithful to the interests of their constituencies, if they allowed the Government to filch away their rights, and stifle discussion on matters of importance to Ireland, without strongly protesting. It was the duty of hon. Gentlemen representing Irish constituencies to seize every opportunity to enter their protests against the action of the Government in endeavouring to stifle discussion, and slur over the present Administration in Ireland, which, he (Mr. Harrington) firmly believed, if it were properly explained to the House and examined into, and the attention of the right hon. Gentleman at the head of the Government were called to it, would neither receive the sanction of the House, nor that of the right hon. Gentleman himself.

Question put.

The House *divided:*—Ayes 76; Noes 40: Majority 36.—(Div. List, No. 84.)

Main Question proposed, "That this House will, upon Monday next, resolve itself into the Committee of Supply."

MR. CAVENDISH BENTINCK said, he wished to confirm the accuracy of what he had previously said with regard to the practice of the House. On the 5th of May, 1871, a precisely similar case occurred. The hon. Member for the City of London (Mr. Alderman W. Lawrence) was about to proceed with a Notice of Motion which he had on the Paper; but he was stopped by the then Speaker, and, the Motion having been negatived, he did not proceed. He (Mr. Cavendish Bentinck) himself then rose to Order, and advanced similar arguments to those he had put forward tonight; and, in consequence of the arrangements made, the Government were bound to renew the Order. The then Speaker stated that—

> "The adoption of the Amendment supersedes the Question that I now leave the Chair. But, certainly, it is a course which has been followed on previous occasions, that under such circumstances the Government should revive the Motion for the Committee of Supply."—(3 *Hansard,* [206] 323.)

In pursuance of that decision, he proposed to give Notice that, on going into Committee of Supply, if, on a Friday evening, an Amendment was carried to the Question that the Speaker should leave the Chair, it should be obligatory on the Government, before proceeding to other Business, to move that the House should again resolve itself into the Committee of Supply. He now, therefore, wished to propose again that the Speaker should leave the Chair, as he thought it was necessary to make a stand in support of the small residuum of independent Members' privileges that still remained, before the time had passed for Members to raise objections. He was very sorry to see that the independent spirit had gone from hon. Members below the Gangway, and that they were nothing but mere followers of the Government.

MR. GLADSTONE: I am sorry that the right hon. and learned Gentleman opposite (Mr. Cavendish Bentinck), having begun his observations in a very becoming tone, should have ended by making a most unnecessary reference to hon. Members on this side of the House; and, after we have spent two hours and a-quarter in this discussion, he should propose to make a Motion which would commence another wrangle of the same kind. With regard to the citation the right hon. and learned Gentleman has made, I must trust to my recollection; but I think I have a recollection of what occurred. He says that Mr. Speaker declared that, under such circumstances, it was the duty of the Government to set up Supply again on Fridays. But under what circumstances? Everything turns on the meaning of that phrase, and the right hon. and learned Gentleman was not able to throw any light on that point. My impression is, that that judgment was given by Mr. Speaker Denison at an early hour of the evening. The right hon. and learned Gentleman does not appear to recollect that; but that is a most material point in the case. There is a very recent declaration from the Chair on this subject; for, so late as April 6th, 1883, you, Mr. Speaker, ruled that you were not aware of any Order or practice which rendered it obligatory on the Government to set up Supply a second time on Friday, any more than on any other day. That is what I stated early this evening; and I again convey, in perfect consistency with that ruling, and, as I think, with the ruling of Mr. Speaker Denison, that there is no fixed Rule on the subject, and no absolute or habitual practice. I fully admit that it would be an abuse on the part of the Government if they were to so manage this matter as to deprive private Members of their opportunities on Friday evenings; but there is no fixed Rule as to the hour at which it would be right for the Government to set up Supply when there is important Business to be begun. We gave full Notice that at 11 o'clock we should cease to prosecute the Order for Supply, and it was three minutes before 11 before the Motion was made. I will not refer to this debate of this evening; for, although it may be necessary to do so on a formal occasion, I do not wish to adopt a retaliatory tone. We have no intention of asserting that the main portion of Friday evenings ought to be taken from private Members; but I am bound to say I think this is a case in which, as Notice was given, we were right in proposing that this important Irish Business should be taken. But whether we were right or wrong has nothing whatever to do with the supposition that, at an early hour of the evening, we intended to avail ourselves of our advantage.

Mr. JUSTIN M'CARTHY said, he thought the right hon. Gentleman had given very ample justification for the protest which had been made that night. He had made it perfectly clear that the use of the Friday evenings for setting forth grievances depended wholly on usage, and not on Rule; and the Government, when they chose, might come and take away the whole of private Members' time by a Motion of their own. That being so, it was essential that the House should make an emphatic protest against any innovation on the custom and tradition of the House. Every Government might not be so well disposed to recognize tradition as the present Government; and they must contemplate Governments which would be arbitrary, and would not listen to the claims of private Members. Supposing that time not to have come now, there yet was a very significant phrase made use of by the noble Marquess the Secretary of State for War (the Marquess of Hartington) in the early part of the evening. He endeavoured to define the rights of the Government and the rights of private Members. The noble Marquess said the time of the Government was Mondays, Thursdays, and as much of Friday as they could get. Exactly—as much time as they could get; and he (Mr. Justin M'Carthy) thought he saw in this attempt to-night the beginning of an attempt to get a great deal more time than they had previously got. But the noble Marquess had not quite accurately described the amount of time they already got. They had Monday and Thursday, and as much of Friday as they could get; but they had frequently taken Tuesdays. After Whitsuntide, they would probably annex all the time of private Members; and if, under those circumstances, they were to be allowed, without a protest, to take as much of Friday as they could get, private Members would be unworthy to have any time of their own, or any claim on the hearing of the House. He thought hon. Members were justified in making vigorous remonstrance against the action of the Government, if only in order not to allow innovation to become usage.

Mr. WARTON said, he hoped that when the Motion of the right hon. and learned Gentleman the Member for Whitehaven (Mr. Cavendish Bentinck) came on that day four weeks, the Government would not try to get rid of it by a manœuvre.

Mr. O'DONNELL said, a fair reason for extending the Rule that Friday should be given to private Members, and for the Government setting up Supply a second time, when they had accepted an Amendment, was that, since that ruling was given, all the other opportunities of moving Motions on going into Committee of Supply had been taken away. That was a reason why they ought to oppose all possible resistance to what they considered the shortcomings of the Government. They had no longer any opportunities; and when the Government now attempted to appropriate Fridays, by applying a Rule which they might have applied with a certain amount of colour in past years, hon. Members felt that the Government were trying them by a Rule which was no longer applicable. They had monopolized other opportunities, and private Members must insist upon maintaining their rights.

Main Question put, and *agreed to.*

*Resolved,* That this House will, on Monday next, resolve itself into the Committee of Supply.

## *ORDER OF THE DAY.*

## CONSTABULARY AND POLICE (IRELAND) (PAY AND PENSIONS) BILL.

### ADJOURNED DEBATE ON MOTION FOR BILL. LEAVE. FIRST READING.

Order read, for resuming Adjourned Debate on Question [3rd May], "That a Bill be brought in upon the said Resolution" (from Committee on Constabulary and Police (Ireland).

Question again proposed.

Debate *resumed.*

MR. SEXTON said, he understood, on the Motion for leave to introduce this Bill, that the Chief Secretary for Ireland would give some explanation of its provisions. He was surprised that the Government had so far forgotten themselves that the question was about to be put without any explanation.

THE MARQUESS OF HARTINGTON said, that, when his right hon. Friend the Chief Secretary for Ireland spoke in the debate upon this Motion, it was impossible for him to make a speech in explanation. His right hon. Friend would be glad to reply to any questions; but he would not be able to make a second speech.

MR. O'KELLY said, it would be very difficult for any hon. Members to put questions, seeing that they did not know anything about the provisions of the Bill.

MR. O'BRIEN said, he would move the Adjournment of the House, in order to obviate this difficulty.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. O'Brien.*)

LORD RANDOLPH CHURCHILL said, he wished to make a suggestion which, he thought, might provide a solution of the difficulty. It was very usual, when there was a Bill of this kind, for the House to allow an hon. Gentleman to speak twice; and he was sure the House would, on this occasion, extend its indulgence to the right hon. Gentleman the Chief Secretary for Ireland.

MR. SPEAKER: By the general indulgence of the House, the right hon. Gentleman may speak again.

MR. O'BRIEN said, in that case he would not press his Motion for Adjournment.

Motion, by leave, *withdrawn.*

MR. TREVELYAN said, he was very much obliged to the House for its indulgence. He had endeavoured to deserve that indulgence the other night by briefly running through the leading provisions of the Bill, and by consenting to an Adjournment, when he found that was the wish of those hon. Members most interested in the subject. The object of the Bill was the carrying out of the recommendations of the two Committees of Inquiry respecting the Dublin Police and the Royal Irish Constabulary. With regard to the proposed increase of pay for the Constabulary, at the present moment that pay was regulated by an Act of 1874, which made permanent a rise of pay given by an Act of 1872. The main principle on which the present proposal for a rise of pay was founded was this—that, in the opinion of the Committee—an opinion which was quite endorsed by the Government—the pay for the unmarried men in the Force was already sufficiently good. But the Irish Force was a permanent Force, and, amongst the other qualities of a permanent Force, it had the quality of domesticity. It was essentially a married service, and when the men were married they began to be a little pinched, sometimes very considerably. Marriage, therefore, was not recognized in the Constabulary until after seven years' service, because then the men began to receive increased rates of pay. A man in the Constabulary of under seven years' service got 21*s.* a-week under the old scale; but he would get 22*s.* under the new scale, which was really no rise, because as long as a man lived in barracks he had 1*s.* deducted from his pay. A man of from seven to ten years' service would get a rise nominally of 2*s.* a-week, but actually of 1*s.* if he lived in barracks. If the man was married and lived out of barracks he would get the full 2*s.* rise. After 15 years' service a man would get a rise of 3*s.* if he lived outside barracks, and 2*s.* if he lived in barracks. A sub-constable, instead of getting 24*s.*, would get 27*s.*; an acting constable would be risen from 26*s.* to 27*s.*; a constable from 28*s.* to 29*s.* and 31*s.*; and a head constable, who, under the old scale, received from 32*s.* to 38*s.*, according to his length of service, would, under the new scale, get from 35*s.* to 40*s.* These increases of pay were only given to men over seven years' service, and to those men they were very large increases. After the increases of pay, they came to the increase of allowances, which allowances, by the way, hon. Members would not find in the Bill. In the first place, the Government proposed to give to every constable £1 6*s.* a-year for boot money. To married men of 10 years' service, in addition to the other great advantages given to them, the Government proposed to give 1*s.* a-week, or £2 12*s.* a-year, in lodging allowance. There would be a reduction in the marching allowance, for, instead of 2*d.* a-mile, it was intended to give 1*s.* for eight miles' march. This reduction would amount to about £4,000 a-year in all, or about one-fourth of the boot money. Summing up the matter, the net result of the increases of pay and allowances would be such that a married man, living out of barracks, would, on an average, be £11 a-year better off than at present—a very large and substantial improvement in his position. There were 3,500 married men in the Force, of whom 2,000 lived out of barracks; and it was rather a satisfactory circumstance to recognize that, in the Royal Irish Constabulary, four-fifths of the men ultimately married. There was another advantage which must not be lost sight of. While three out of four men in the English Force remained in the low ranks, the condition of the Irish Service was such that three sub-constables out of four became constables. Although, in the earlier period of his service, a man of the Constabulary was very well off, when he began to feel the expenses of a family he would receive the increases of pay he (Mr. Trevelyan) had indicated. He now came to the question of pension. Pension was, on the whole, the subject upon which the men had been most anxious, because, hitherto, there was a sense of injustice and inequality about it which they felt very keenly. Under the scale laid down in the year 1847, a man of over 30 years' service could get full pay. A typical age for retirement was after 28 years' service; and after that period of service, under the old system, a constable got nearly three-fourths of his pay in pension. In 1866 a new scale of pension was set up, and a pension of 5-50ths, going up to 30-50ths of a man's pay, was given. He would not enter into the details of that particular system, but simply say that the men who were pensioned on the full pay got very large pensions; whereas the men who entered the Service, perhaps, a year after them found a great drop in their pensions. It was now proposed to make a great improvement in the pensions of the Irish Constabulary, and this would be done by two means. One was by a change in the scale, in the nature of which he would only enter so far as to say that if a man left the Force his scale would be very much the same as now. Between 21 and 25 years' service the scale would rise very rapidly; a man would get 2-50ths a-year instead of 1-50th; and by the time he had served 28 years he would receive two-thirds of his pay. But not only would he receive a larger portion of his pay; but his pay, as already explained, would be very much larger. He (Mr. Trevelyan) would give the financial effect. In 1847, when the scale was on the old pay, a sub-constable of 28 years' standing got about £21. Then there came a great rise of pay, and the sub-constable of 28 years' standing got £46 16*s.* That was a desirable pension, which these men wished to get. Then came the new scale of pension, and the 28 years' men got, not £46 16*s.*, but £34 18*s.* 10*d.*; he saw his comrade retiring on 4*s.* or 5*s.* a-week more than himself, and he felt aggrieved. By a circumstance which, in regard to the details, was a coincidence which the Committee endeavoured to arrive at, the sum which, under this Bill, a sub-constable of 28 years' standing would get, was exactly £46 16*s.* The causes of that were, higher pay and the introduction of the Metropolitan Police pension system. He now came to the case of the Dublin Police. The Dublin Police, as was very well known, were very much better off than the Royal Irish Constabulary. The change proposed in their position was very much less than that proposed in the case of the Constabulary, really consisting, to a great extent, in taking away those vexatious conditions in their lot which the men felt a great deal. But in taking away those conditions their pecuniary position was improved. The most important change was that a sub-constable in the Dublin Police Force would henceforth rise in pay according to his length of service. Before this, they were divided into classes, and they got from one class to another by competitive examination, and they were far too liable to reduction in rank and pay for misconduct. The Committee thought that when a man was fit to be a constable he was fit to rise to the top of the rank. The Committee, he was glad to say, did not seem to disapprove of the system of competitive examination; but they thought it should have its limits. When a man was once judged fit to enter the Service he should rise by professional capacity, and by the acquisition of professional knowledge. When a constable got to the top of his class, he would get 30*s*. a-week instead of 29*s*. The increase in pay was not large; but the increase in pension was more considerable. The result of the legislation which was now proposed would be that a constable in the Dublin Police Force of 28 years' standing would get, instead of a pension of £45 a-year, about £52 10*s*. The financial effect of the whole scheme was as follows:—The increase in the pay of the Constabulary would amount to £30,632—that would be divided, as hon. Gentlemen knew, between about 13,000 men; the married men's allowance would come to £5,000 a-year; boot allowance, £17,000; and other charges would bring the total up to £53,500. There were expected savings, including the savings in lodging money of £7,000. That would bring the charge to £46,500. The net increase in the Dublin Metropolitan Police for pay was small—it was not quite £2,000 a-year. There was a saving in the salary of the Assistant Commissioner, who had been reduced to £1,200 a-year. The entire increased cost of the active service, therefore, was £47,280 a-year. It was much more difficult to calculate what the increase in the Pension List would be. The present amount of the Pension List was £220,000 a-year; but the amount which the Pension List would reach, when the full effect of the Act of 1866 was experienced, would be £280,000 a-year. If the later men had been pensioned on the lower scale, the amount would have come down to £190,000 a-year. It had been calculated that, under the present scheme, the amount of the Pension List would rise to £260,000 a-year. Taking the increase of pensions in the Dublin Police and the Irish Constabulary together, they had come to the conclusion that the increased burden on the country, in consequence of the changes proposed in the Bill and laid down in the General Order, would amount to £90,000 a-year. There were certain very great moral and social advantages which were given to the men. First of all, their promotion in the Royal Irish Constabulary would be very much equalized. A man, before he could be put on the selected list for promotion, would have to serve eight years, except in cases of extraordinary merit, so that the disadvantage of being on the out-stations, or the advantage of being close under the eye of those who had to dispense patronage, would not be experienced as at present. In the next place, those unfavourable records which the men regarded with greater anxiety and uneasiness than anything else, which, in their own words, followed a man to his grave and injured his wife and children, would not quite cease, but would be brought within limits. An unfavourable record used to follow two fines by the County Inspector, two admonitions by the Inspector General, and one fine by the Inspector General. It was now proposed that there should be an unfavourable record only in the last case, that of a fine by the Inspector General; and that then it should be by special Order. The length of time during which an unfavourable record was to last should be fixed by that Order, and should not last, in any case, more than five years. It was proposed that an unfavourable record should only be a bar to promotion, and should not diminish the man's pension, or injure his wife or family at his death. The amount of fines, both in the Dublin Metropolitan Police Force and the Royal Irish Constabulary, had been reduced.

In the Constabulary, the fines were never to amount to more than £3, instead of £5, as at present; and, in the case of the Dublin Police, the fines might not be higher than £1, or one week's pay. The men off duty were to be allowed to enter public-houses like other members of society; their wives were to be allowed to carry on a trade or business, the men were allowed somewhat longer absence from barracks; they would be allowed wider points within which they could wander when off duty; and, altogether, their life would be made pleasanter; while all the essential conditions of an efficient Service would be fulfilled. The Royal Irish Constabulary were now raised to a position above that of the average County Forces in England and Scotland, and received higher pensions than the Scotch Force. The Metropolitan Police Force of Dublin was before in the last class but one; but these changes, small as they appeared to be, had placed it in the highest class next to that of the London Police Force. He was anxious that it should be known that these proposals had been considered with very great care; they had been examined and revised by men who were extremely conversant with the organization of Services, both Civil and Military; and the intention of the Government was that the proposed changes should be both permanent and final. They believed they would attract good men of the class from which the Dublin Police and Royal Irish Constabulary had been drawn hitherto with such very good results, and that when they had been so attracted they would remain contented with their position. For these reasons he trusted the House would assent to the introduction of the Bill.

Mr. GRAY said, that, nowithstanding the great care, attention, and labour, on the part of the two Commissions which had been appointed by Her Majesty's Government to consider the question of the pay and discipline of the Royal Irish Constabulary and the Dublin Metropolitan Police Force, and the great attention which Her Majesty's Government had also given to the circumstances, they were brought face to face with the certain knowledge that the scheme of the Commissioners, which had, practically, been adopted by the Government, had not given satisfaction to those interested in it. They knew that abundantly by the communications which had flooded the public Press since the publication of the Report. Looking at the question, however, from the broader standpoint of the interest of the men themselves, they were forced to the conclusion that attention was not paid to the complaints of those persons, until they had been forced by methods of a very disagreeable character upon the notice of the Government. All must know that the grievances of the Royal Irish Constabulary, and the vexation and worry to which the Metropolitan Police of Dublin had been subjected for years, had been pressed on the attention of the Government over and over again, and treated with absolute contempt. It was only when the Constabulary struck at a certain place, and threatened to strike in other parts of the country, that their complaints were attended to; and it was only when the Police struck in Dublin that it was discovered that the men were subject to all sorts of vexatious fines and treated like children. He thought it was a lamentable thing to confess that, even in the case of their own servants, not the slightest attention or respect could be had from the Government for claims now acknowledged to be legitimate, until those claims had been pressed upon them by something very little, if at all, short of physical force. But there were other classes of men in the Government Service in Ireland who had similar grievances to complain of. The prison officials had been subject, for the last two or three years, to the same strain as were the Police and Constabulary; and they had similar grievances to complain of, both with regard to pay, hours of labour, and general treatment, as the officials holding analogous positions in England. But they could not organize or communicate with the Government, without being discharged one by one—they could not strike; and their grievances were therefore set aside, and nothing had been, or probably would be, done for them, until they made use of the methods which had been adopted by the Royal Irish Constabulary and the Dublin Metropolitan Police. With regard to the latter Force, he thought something more was required in reference to the pay of the men than what he might call the re-arrangement of book-keeping proposed by the Government. He gathered, from the figures of the right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland, that the total increase in the pay of the Police in Dublin was to be the sum of £2,000 a-year. He had already heard so much, and it was no wonder that dissatisfaction existed in the Force, when it was found that, after all the outcry they had heard, this paltry sum was proposed. Then the right hon. Gentleman told them that the Pension List, which amounted to £22,000 a-year under the present system, would be increased, but subsequently reduced. But here, he (Mr. Gray) was unable to follow the right hon. Gentleman. He could not get at what the new Pension List was to be, so as to know the total amount that would be given in the way of increase. The younger men, of course, composed the enormous majority of the Force, and they found that nothing was to be done for them; they were the men the Government had to look to most; and they were just the men likely to throw up their profession, and go to America, or to join in any movement to get any matters redressed that they believed they had a right to complain of. But the Government had given them no redress. They had devised a system which would give a certain minority of the Force a small increase of pay and allowances, and they had relaxed, to some extent, the iron discipline which was even more vexatious than deprivation of pay; but as to the vast majority of the men, both of the Constabulary and Police, it appeared to him that they were going to pay them little more than the compliment of having appointed a Commission to inquire into their grievances; leaving them, in fact, in nearly the same position as they were in before. Again, he did not think anything like a fair comparison could be instituted between the Royal Irish Constabulary and the Dublin Metropolitan Police Force and the Police Forces in England. The men in England were exceedingly well paid—both the Police in London and in the Provincial boroughs—for the duties they had to perform. As a rule, their duties in the Provinces were by no means irksome; everyone in England looked upon the Police as the friends of the community; their duties in the rural districts and in the towns were simply the detection of crime, and so they won the goodwill of the population. Now, the duties of the men of the Constabulary and the Police in Dublin were of a totally different character—they were of an odious character, and repugnant to the feelings of the men themselves. He himself, some time ago, had read some letters received from members of the Royal Irish Constabulary, describing the duties which they had to perform in the case of evictions. They stated how their hearts were wrung by the terrible scenes of suffering they witnessed in the performance of their duties connected with the eviction of their neighbours and others. They felt these to be most repugnant, for they were all sprung from the small farmer class; and, therefore, he said that, if such duties were cast upon them, they ought to be paid extra for the work. There was, then, clearly no comparison between the Constabulary and Police Forces in Ireland and those in England. With reference to the Metropolitan Police, the right hon. Gentleman said they cost already £53,000 a-year, which sum, for certain purposes, was to be reduced to £46,000; and this he proposed to increase by the sum of £2,000 a-year. He (Mr. Gray) regarded that sum as extravagant, and thought that the Bill should be utilized for the purpose of putting the expenditure incurred for the Police into a more reasonable form than the present. The Dublin Metropolitan Police were employed for a double purpose. They were used as police, and also as a species of semi-military force, for the purposes of the Government. He was informed that the tax upon the people of Dublin for the Police Force amounted to 1*s.* 2*d.* in the pound, a sum which he did not think was paid in any town in England. And not only were the citizens of Dublin mulcted in that sum, but they had nothing whatever to do with the control of the Police; and when this was complained of the reply of the Government was—"You do not contribute anything like the amount you ought to pay; you ought to thank us for taking the burden off your shoulders." As a member of the Corporation of Dublin, he (Mr. Gray) could assure the House that this question affected the people of Dublin very keenly, because it touched their pockets; and he contended that they should be allowed to maintain their own Police as a Municipal Force, and that the Government should maintain, for their own purposes, a force which should be paid for out of Imperial funds. In England the Police of every town and district were under the control of the local authorities; and they were also, for the purposes of the Public Health Act, under the control of the sanitary authorities. But they in Dublin had no control of the Police in that respect. When necessary, they had to apply to the Government for a certain number of police for sanitary duty; and the reply to their application was—"Certainly; if you pay for them." They had, therefore, to pay not only 1*s.* 2*d.* in the pound for the maintenance of the Force, but they had to pay over again when they wanted them to discharge any sanitary duties. The sanitary work of the city was interfered with, because they had no Police Force under the control of the Civic Authorities. It was, perhaps, useless for him to suggest that the Corporation of Dublin were fit to discharge the minor duties which local authorities were entrusted with in England and Scotland. If the Government did not think they were to be trusted, let them keep as many police in Dublin as they pleased; but let the citizens of Dublin maintain their own Police Force. The present system not only touched them in their pockets, but in their health and lives. The Lord Provost of Edinburgh once asked him (Mr. Gray) if the Corporation of Dublin had the control of the Police of the city; and, on his replying in the negative, he said—"You will never get Dublin into a proper sanitary condition until you have. Every policeman in Edinburgh is a sanitary officer." In conclusion, he ventured to hope the point he had suggested was a practicable one, and that, as it concerned the City of Dublin, it would receive some share of attention.

Mr. MOORE said, he desired to point out that there was no provision made in the Bill for the officers of the Force. During the last year or so a large sum of money had been allocated to the rank and file; and he could see no reason why the officers in the Service should not experience an improvement in their position. The officers had had to suffer great hardships, which the men under their command could not be said to have shared with them. Comparatively speaking, the position of the officers was much inferior to that of the men, in regard to pensions as well as pay; and this was a matter to which it would be wise for the Government to devote attention. There was no better way of rewarding the Force than by increasing their pensions; and, in that respect, he congratulated the right hon. Gentleman (Mr. Trevelyan) on the whole scheme of his Bill. The scheme for increasing the payments in regard to long and continued service introduced the element of domesticity, which seemed to be the most valuable element in the Bill. The scale of pensions of the officers required revision; and it should always be borne in mind that, by increasing the pensions, they gained two very important advantages. They, in the first place, gained increased efficiency, as they did by all increase of pay; but, more than that, they offered an inducement to old men who were no longer fit for the Service to retire. He hoped this question would be considered by the Government. He endorsed all that had been said by the hon. Gentleman who had preceded him (Mr. Gray) as to there having been, throughout all these transactions, one pre-eminent argument — namely, the argument of clamour—the argument—"Only make sufficient noise, and you will obtain all you require." The officers were not in a position to follow this advice; and he hoped the Government would not put too severe a strain upon them, but would inquire into their case, without requiring them to do that which would be unbecoming or unsuitable to their rank in the Service. There was one point in the right hon. Gentleman's observations he had heard with anxiety—namely, that it was considered an important concession to the men that their wives should be allowed to take part in businesses. The House should be given clearly to understand whether it was intended to allow the wives of constables to hold licences for the sale of spirituous liquors.

Mr. O'BRIEN said, there was one point he should like to have made clear; and that was, whether the Bill proposed to make alterations in the higher organization of the Force, or whether it was confined entirely to improving the condition of the men?

Mr. TREVELYAN said, the measure made no alteration whatsoever in what they might call the higher organization of the Forces. Those officers who, in the Army, might be described as commissioned officers, were not at all affected by the alterations.

MR. SEXTON: The Assistant Commissioner is abolished?

MR. TREVELYAN said, that was so. He might fairly say there was no change in the higher organization of the Forces, and no change that was effected in that higher organization would affect the pay and pensions of the men.

MR. CALLAN asked whether there was any attempt made in the Bill to change the present system of promotion?

MR. TREVELYAN said, that promotion would be more advanced by good and regular conduct. An important step had been taken in the Constabulary for the purpose of equalizing promotion, and removing any suspicion of unfairness.

MR. BIGGAR said, the House heard a great deal about keeping down the general expenses of the country. The hon. Gentleman the Secretary to the Treasury (Mr. Courtney) was in his place. Had he been consulted about this Bill? That hon. Member and the Chancellor of the Exchequer would have to take into account the consequences of the measure next year, or the year after; and therefore, perhaps, it would be as well for them to offer an opinion about the Bill before it was pushed much further. There was a great tendency on the part of Members of Parliament, when these Motions came up, to make themselves exceedingly pleasant at the public expense, by allowing advances of salary to men and officers of all kinds. He (Mr. Biggar) was inclined to think that the Police were liberally paid at present, and he did not think this Bill was called for. He was disposed to offer to it as strong an opposition as he possibly could.

Question put, and *agreed to.*

Bill *ordered* to be brought in by Mr. TREVELYAN, Mr. COURTNEY, and Mr. HERBERT GLADSTONE.

Bill *presented,* and read the first time. [Bill 171.]

MR. TREVELYAN said, he proposed to put down the next stage for Monday.

MR. BIGGAR said, that before the Bill was proposed for second reading, he, and many other Irish Members, would like to see it in print.

MR. TREVELYAN said, that if hon. Members thought they would not be prepared to take the second reading on Monday, he should be quite willing to defer that stage until Tuesday.

## *MOTIONS.*

### TRAMWAYS PROVISIONAL ORDERS (ALDERSHOT AND FARNBOROUGH, &C.) BILL.

On Motion of Mr. JOHN HOLMS, Bill to confirm certain Provisional Orders made by the Board of Trade under "The Tramways Act, 1870," relating to Aldershot and Farnborough Tramways Extensions, Bradford Corporation Tramways, Hartlepool Tramways, Liverpool Corporation Tramways, Macclesfield Tramways, and North Staffordshire Tramways, *ordered* to be brought in by Mr. JOHN HOLMS and Mr. CHAMBERLAIN.

Bill *presented,* and read the first time. [Bill 167.]

### TRAMWAYS PROVISIONAL ORDERS (NO. 2) (BIRMINGHAM AND WESTERN DISTRICT, &C.) BILL.

On Motion of Mr. JOHN HOLMS, Bill to confirm certain Provisional Orders made by the Board of Trade under "The Tramways Act, 1870," relating to Birmingham and Western District Tramways, Edgbaston and Harborne Tramways, North Birmingham Tramways, Oldham, Ashton-under-Lyne, Hyde, and District Tramways, South Birmingham Tramways, and Southend-on-Sea and District Tramways, *ordered* to be brought in by Mr. JOHN HOLMS and Mr. CHAMBERLAIN.

Bill *presented,* and read the first time. [Bill 168.]

### TRAMWAYS PROVISIONAL ORDERS (NO. 3) (COLCHESTER, &C.) BILL.

On Motion of Mr. JOHN HOLMS, Bill to confirm certain Provisional Orders made by the Board of Trade under "The Tramways Act, 1870," relating to Colchester Tramways, Halifax and District Tramways, Highgate Hill Extension and Archway Road Tramways, Oxford Tramways Extensions, Rhyl Voryd and Plastirion Tramways, Spen Valley and District Tramways, Wakefield Tramways, Woolwich and South East London Tramways, and Yarmouth and Gorleston Tramways (Extensions), *ordered* to be brought in by Mr. JOHN HOLMS and Mr. CHAMBERLAIN.

Bill *presented,* and read the first time. [Bill 169.]

### LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 3) (BETHESDA, &C.) BILL.

On Motion of Mr. HIBBERT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Improvement Act District of Bethesda, the Borough of Darlington, the Evesham Joint Hospital District, the Faversham Joint Hospital District, the Improvement Act District of Kington, the Lower Thames Valley Main Sewerage District, the Boroughs of Maldon and Sandwich, and the Local Government Districts of Torquay, and Wanstead and Woodford, *ordered* to be brought in by Mr. HIBBERT and Sir CHARLES DILKE.

Bill *presented,* and read the first time. [Bill 170.]

House adjourned at a quarter after Two o'clock till Monday next.

[INDEX.

# INDEX

TO

# HANSARD'S PARLIAMENTARY DEBATES,

## VOLUME CCLXXVIII.

## THIRD VOLUME OF SESSION 1883.

---

### Explanation of the Abbreviations.

In Bills, Read 1°, 2°, 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—1*st. Div.*, 2*nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

Some subjects of debate have been classified under the following "General Headings:"—ARMY — NAVY — INDIA — IRELAND — SCOTLAND — PARLIAMENT — POOR LAW—POST OFFICE—METROPOLIS — CHURCH OF ENGLAND — EDUCATION — CRIMINAL LAW — LAW AND JUSTICE — TAXATION, under WAYS AND MEANS.

---

ABERCORN, Duke of
Land Law (Ireland)—Landlords under the Irish Land Act, Motion for an Address, 1403

ABERDARE, Lord
Medical Act Amendment, Report, *cl.* 26, Amendt. 1125

ACLAND, Mr. C. T. D., *Cornwall, E. Div.*
Contagious Diseases Acts, Res. 854
Duchy of Cornwall—Lease of Land for Convict Prisons, 911

*Afghanistan—Sir Lepel Griffin's "Liberal Policy in Afghanistan"*
Question, Mr. Dixon-Hartland; Answer, Mr. Gladstone *April* 16, 322; Question, Mr. Onslow; Answer, Mr. Gladstone, 326

*Africa (South)*
LORDS
*Zululand—Encroachment of Subjects of the Transvaal*, Question, Observations, The Earl of Camperdown; Reply, The Earl of Derby *April* 24, 1000

*Africa (South)*
COMMONS (*Questions*)
*Bechuanaland — Report of Captain Harrel*, Question, Mr. A. M'Arthur; Answer, Mr. Evelyn Ashley *April* 12, 60
*Natal—Changes in the Legislative Council*, Question, Sir George Campbell; Answer, Mr. Evelyn Ashley *April* 12, 54

*The Transvaal*
*Dr. Jorissen, Agent for the Transvaal Government*, Questions, Mr. Onslow, Sir Michael Hicks-Beach; Answers, Mr. Gladstone *April* 12, 77
*Supply of Arms and Ammunition*, Question, Mr. Cropper; Answer, Mr. Evelyn Ashley *April* 12, 56
*The Transvaal Convention*, 1881, Questions, Mr. Salt, Mr. Gorst, Mr. Joseph Cowen; Answers, Mr. Gladstone *April* 26, 1162

*Zululand*
*Action of Mr. John Shepstone*, Question, Mr. Guy Dawnay; Answer, Mr. Evelyn Ashley *April* 30, 1423

*cont.*

*Africa (South)—Zululand*—cont.

*Reported Fighting*, Questions, Mr. A. F. Egerton, Lord Randolph Churchill; Answers, Mr. Evelyn Ashley *April* 24, 1057

*Africa (South)—Affairs in the Transvaal—Policy of Her Majesty's Government*

Questions, Lord George Hamilton, Sir Michael Hicks-Beach, Mr. Cropper; Answers, Mr. Evelyn Ashley *April* 12, 86; Question, Sir Stafford Northcote; Answer, Mr. Gladstone *April* 16, 323; Questions, Sir Stafford Northcote, Lord Randolph Churchill; Answers, Mr. Gladstone, Lord Richard Grosvenor *April* 27, 1279

Order read, for resuming Adjourned Debate on Amendment proposed to Question [13th March], "That, in view of the complicity of the Transvaal Government in the cruel and treacherous attacks made upon the Chiefs Montsioa and Mankoroane, this House is of opinion that energetic steps should be immediately taken to secure the strict observance by the Transvaal Government of the Convention of 1881, so that these chiefs may be preserved from the destruction with which they are threatened" (*Mr. Gorst*)

And which Amendt. was, To leave out from the first word "The," add "very grave complication that must attend intervention in the affairs of the native populations on the Western Frontier of the Transvaal, this House is of opinion that the action of British authorities in those regions should be strictly confined within the limits of absolutely unavoidable obligations" (*Mr. Cartwright*) *v.*; Question again proposed, "That the words, &c.;" Debate resumed [Third Night] *April* 13, 202; after short debate, Question put, "That the Amendt., by leave, be withdrawn;" after further long debate, Debate further adjourned

*Africa (West Coast)*

LORDS

*The Church Missionary Society—Action of Agents on the River Niger*, Observations, Question, The Duke of Somerset; Reply, The Earl of Derby; short debate thereon *April* 12, 31

*Africa (West Coast)*

COMMONS (*Questions*)

*Ashantee*, Question, Sir Henry Holland; Answer, Mr. Evelyn Ashley *April* 19, 611

*Recall of Commandant Wall, of Sherbro—The Correspondence*, Question, Mr. R. N. Fowler; Answer, Mr. Evelyn Ashley *April* 19, 628

*Sierra Leone — Annexation of Neighbouring Territory*, Questions, Sir George Campbell, Mr. W. H. Smith; Answers, Mr. Evelyn Ashley *April* 19, 627

*The River Congo*

*Action of Portugal*, Question, Baron Henry De Worms; Answer, Lord Edmond Fitzmaurice *April* 19, 608; Questions, Mr. Jacob Bright, Mr. Bourke; Answers, Lord Edmond Fitzmaurice *April* 23, 911

*French Annexations — Reported Seizure of Territory by France*, Questions, Mr. Ashmead-Bartlett; Answers, Lord Edmond Fitzmaurice *April* 23, 904; *April* 24, 1059

*Africa (West Coast)—The River Congo*—cont.

**Agricultural Holdings (England) Bill** [H.L.] (*The Lord Vernon*)

*l.* Presented: read 1ª* *April* 12 (No. 30)

*Agriculture*

*Agricultural Improvements, Compensation for—Legislation*, Questions, Mr. Duckham, Mr. O'Donnell; Answers, Mr. Gladstone *April* 19, 629

*Cultivation of Tobacco for Sale by Farmers*, Question, Lord John Manners; Answer, The Chancellor of the Exchequer *April* 19, 621

*Agriculture and Commerce, Minister of*

Question, Sir Massey Lopes; Answer, Mr. Gladstone *April* 12, 76; Questions, Mr. Duckham, Mr. Monk, Mr. R. H. Paget, Sir Stafford Northcote; Answers, Mr. Gladstone *April* 26, 1165; Question, Lord George Hamilton; Answer, Mr. Gladstone *May* 4, 1877

ALCESTER, Lord

Navy—Appointment of First Lieutenants, 272

ALEXANDER, Colonel C., *Ayrshire, S.*

Parliament—Lord Wolseley's Annuity Bill, 748

ANDERSON, Mr. G., *Glasgow*

Metropolitan District Railway, 2R. 1013; Amendt. 1033

Parochial Boards (Scotland), 2R. 584

Patents for Inventions, 2R. 362, 363

ARMY (*Questions*)

*Army and Militia (Numbers)*, Questions, Colonel Makins, Lord Eustace Cecil, Sir Henry Fletcher; Answers, The Marquess of Hartington *April* 16, 310; Question, Colonel Makins; Answer, The Marquess of Hartington *May* 3, 1711

*Army Medical and Transport Services—Report of the Committee*, Question, Lord Eustace Cecil; Answer, The Marquess of Hartington *April* 27, 1271

*Army Pay Department*, Question, Mr. Muntz; Answer, Sir Arthur Hayter *May* 3, 1721

*Army Pensioners—Case of Charles M'Fadden*, Question, Mr. Kenny; Answer, The Marquess of Hartington *May* 4, 1864

*Army Recruiting—Conditions of Acceptance of Recruits*, Questions, Colonel Makins, Sir Walter B. Barttelot; Answers, The Marquess of Hartington *April* 12, 75

*Chelsea and Kilmainham Hospitals—Report of the Committee*, Question, Sir Henry Fletcher; Answer, The Marquess of Hartington *April* 16, 305

[cont.

Army—*cont.*
*Compassionate Allowances—Captain Wardell,* Question, Captain Price; Answer, Mr. Campbell-Bannerman *April* 13, 197
*First Class Reserve Men,* Question, Lord Eustace Cecil; Answer, Sir Arthur Hayter *April* 17, 425
*Ordnance Department—Mr. Lynall Thomas,* Question, Mr. Macfarlane; Answer, The Marquess of Hartington *April* 16, 295
*Seconding of Officers appointed to serve in the Egyptian Army,* Question, Mr. Arthur O'Connor; Answer, The Marquess of Hartington *April* 12, 74
*Stoppage of Pay,* Question, Colonel Nolan; Answer, The Judge Advocate General *April* 26, 1144
*The Campaign in the Transvaal—Recognition of Military Services,* Question, Sir Henry Fletcher; Answer, The Marquess of Hartington *April* 19, 619
*The Egyptian Expedition—Imprisonment of a Soldier,* Question, Mr. Justin M'Carthy; Answer, The Marquess of Hartington *April* 12, 72
*Undress Uniform of the Infantry,* Questions, Sir Henry Fletcher, Mr. Onslow, Sir Walter B. Barttelot; Answers, The Marquess of Hartington *April* 16, 304
*Veterinary Department—Retired Pay,* Question, Colonel O'Beirne; Answer, Sir Arthur Hayter *April* 16, 315

*Army (India)*
*Civil Pay of Military Officers,* Questions, Mr. Carbutt; Answers, Mr. J. K. Cross *April* 30, 1415, 1422
*Glanders in the Bengal Cavalry,* Question, Dr. Cameron; Answer, Mr. J. K. Cross *April* 17, 417
*Surgeon-Major Thorburn,* Question, Observations, Lord Truro, Lord Stanley of Alderley; Questions, The Duke of Richmond and Gordon, The Marquess of Salisbury; Reply, The Earl of Morley *April* 17, 400
*The late Indian Artillery—Position of Lieut.-Colonels,* Question, Sir Trevor Lawrence; Answer, The Marquess of Hartington *April* 12, 62

*The Auxiliary Forces*
*Aldershot,* Question, Mr. Tatton Egerton; Answer, The Marquess of Hartington *April* 20, 744
*Medals for Volunteers,* Question, Mr. George Russell; Answer, The Marquess of Hartington *April* 20, 746
*Militia Clothing,* Question, Observations, The Earl of Limerick; Reply, The Earl of Morley *April* 13, 187
*The Antrim Artillery,* Question, Mr. Biggar; Answer, The Marquess of Hartington *May* 3, 1705
*The Musketry Regulations,* Question, Observations, Viscount Hardinge, The Earl of Limerick; Reply, The Earl of Morley *May* 4, 1839

**Army (Annual) Bill**
(*The Earl of Morley*)
*l.* Read 2ª * *April* 12 (No. 25)
Committee *; Report *April* 13
Read 3ª, after short debate *April* 16, 293
Royal Assent *April* 26 [46 *Vict.* c. 6]

Arnold, Mr. A., *Salford*
Annuities to Lord Alcester and Lord Wolseley, 629
Parliament—Business of the House—Cuban Refugees, 1575
Parliament—Ascension Day, Motion for Meeting of Committees, 1671

*Arrears of Rent (Ireland) Act,* 1882
Question, Observations, The Marquess of Waterford, The Earl of Belmore, Lord Ventry; Reply, Lord Carlingford *April* 13, 187
*Alleged Ejectments,* Question, Mr. O'Brien; Answer, Mr. Trevelyan *May* 3, 1713
*Applications for Loans,* Question, Observations, The Marquess of Lansdowne; Reply, The Earl of Kimberley *April* 20, 733
*The Emigration Grant,* Question, Mr. Kinnear; Answer, Mr. Courtney *April* 30, 1435

*Artizans' and Labourers' Dwellings Act,* 1882
Questions, Sir R. Assheton Cross; Answers, Sir William Harcourt *April* 16, 295

Ashley, Hon. E. M. (Under Secretary of State for the Colonies), *Isle of Wight*
Africa (South)—Questions
Bechuanaland—Report of Captain Harrel, 60
Natal—Changes in the Legislative Council, 55
Transvaal—Supply of Arms and Ammunition, 57
Zululand—Action of Mr. John Shepstone, 1424;—Reported Fighting, 1057, 1058
Africa (South)—Transvaal—Policy of H.M. Government, Res. 230
Africa (West Coast)—Questions
Ashantee, 611
Recall of Commandant Wall, of Sherbro—Correspondence, 628
Sierra Leone—Annexation of Neighbouring Territory, 627, 628
Australian Colonies — Occupation of New Guinea by Queensland, 324, 626
British Guiana—Action of the Quarantine Board, 1863
Gibraltar—Religious Dissensions—Dr. Canilla, 311, 312
Parliament—Business of the House—Transvaal Debate, 87
Western Islands of the Pacific—New Guinea—Papers, &c. 1057, 1718

Ashmead-Bartlett, Mr. E., *Eye*
Africa (Congo)—Reported Seizure of Territory by France, 904, 1059
Lord Alcester's Annuity, 2R. 674, 675
Madagascar—Claims of France on the North-West Coast, 1058, 1059

Attorney General, The (Sir H. James), *Taunton*
Criminal Code (Indictable Offences Procedure), 2R. 108, 118, 138, 144, 149, 157; Motion for Commitment, 337; Amendt. 347, 348

[*cont.*

ATTORNEY GENERAL, The—*cont.*

- Criminal Procedure — Evidence of Accused Persons, 628
- High Court of Justice—Arrears in Chancery and Appeal, 738
- Law and Justice (England and Wales)—Business of the Assizes, 739, 740
- Law and Justice—Queen's Bench Division of the High Court of Justice—Delay in Procedure, 910
- Magistracy (England and Wales)—Newspaper Proprietors, 1153
- Parliament—Business of the House, 60, 61
  - Standing Committees — Attendance of Members, 1576, 1577, 1578
- Parliamentary Oath (Mr. Bradlaugh), 433, 1709
- Parliamentary Oaths Act (1866) Amendment, 2R. 915, 920, 934, 1734
- Prevention of Crime (Ireland) Act (1882) (Audience of Solicitors), Comm. *cl.* 2, 395

AYLMER, Captain J. E. F., *Maidstone*

- Channel Tunnel—Joint Committee, 312
- Irish Land Commission (Sub-Commissioners)—Colonel Bayley, 607, 608

BAILEY, Sir J. R., *Herefordshire*

- Parliament—Committees on Ascension Day, 1725

BALFOUR, Lord

- Medical Act Amendment, Comm. *cl.* 10, Amendt. 596; *cl.* 20, Amendt. 599; *cl.* 38, Amendt. 602; Report, *cl.* 9, 1124; *cl.* 10, Amendt. 1125
- Representative Peers (Scotland), Comm. 1830

BALFOUR, Right Hon. J. B. (Lord Advocate for Scotland), *Clackmannan, &c.*

- Parochial Boards (Scotland), 2R. 577
- Scotland—Questions
  - Criminal Law—Imprisonment of a Publican at Hamilton, 1417
  - Distress in the Highlands and Islands, 56
  - Extractor's Office—"Register of Acts and Decreets, 1880," 606
  - Keeper of the Register of Sasines, 301
  - Law and Justice—Sheriff Clerk of Forfarshire, 424
  - Law and Police — Chief Magistrate of Sutherland, 1411
  - Poor Law—Excessive Legal Charges upon a Pauper Lunatic, 736;—Boarding out of Pauper Lunatics — The Duke of Hamilton, 738
  - Registrar General's Report, 740
- Universities (Scotland), 915, 1718

BALFOUR, Mr. A. J., *Hertford*

- Local Taxation, Res. 462
- Metropolitan District Railway, 2R. 1036, 1037, 1038
- Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1590
- Parliamentary Oaths Act (1866) Amendment, 2R. 1507
- Supply, 1920

BARCLAY, Mr. J. W., *Forfarshire*

- Parochial Boards (Scotland), 2R. 571
- Railway Commission, Res. 1910

BARING, Mr. T. C., *Essex, S.*

- Partnerships, 2R. 585

*Baron Alcester*

LORDS

- Message from the Queen *April* 13, 166
- Moved, "That an humble Address be presented to Her Majesty, to thank Her Majesty for the gracious Message, and to inform Her Majesty that, taking into consideration the important services rendered by Frederick Beauchamp Paget Lord Alcester, Admiral in Her Majesty's Navy, in the course of the recent Expedition to Egypt, and that Her Majesty is desirous to confer some signal mark of Her favour for those distinguished services, this House will cheerfully concur in enabling Her Majesty to make provision for securing to the said Frederick Beauchamp Paget Lord Alcester, and to the next surviving heir male of his body, a pension of Two Thousand pounds per annum" (*The Earl Granville*) *April* 16, 261; after short debate, Motion agreed to

COMMONS

- Message from Her Majesty brought up, and read *April* 13, 200
- Moved, "That the House will, on Monday next, resolve itself into the said Committee" (*Mr. Gladstone*); Motion agreed to; Question, Mr. Labouchere; Answer, Mr. Gladstone
- Message from Her Majesty considered in Committee *April* 16, 327
- Moved, "That the annual sum of Two Thousand Pounds be granted to Her Majesty out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to be settled upon Admiral Frederick Beauchamp Paget, Lord Alcester, and the next surviving heir male of his body, for the term of their natural lives" (*Mr. Gladstone*); after short debate, Question put, and agreed to
- *Lords Alcester's and Wolseley's Annuity Bills*, Question, Mr. Arthur Arnold; Answer, Mr. Gladstone *April* 19, 629; Question, Mr. Stewart Macliver; Answer, Mr. Gladstone *May* 1, 1574

[See title *Lord Alcester's Annuity Bill*]

*Baron Wolseley of Cairo*

LORDS

- Message from the Queen *April* 13, 166
- Moved, "That an humble Address be presented to Her Majesty, to thank Her Majesty for the gracious Message, and to inform Her Majesty that, taking into consideration the important services rendered by Garnet Joseph Lord Wolseley of Cairo, General in Her Majesty's Army, in the course of the recent expedition to Egypt, and that Her Majesty is desirous to confer some signal mark of Her favour for those distinguished services, this House will cheerfully concur in enabling Her Majesty to make provision for

[*cont.*

*Baron Wolseley of Cairo*—cont.
securing to the said Garnet Joseph Lord Wolseley of Cairo, and to the next surviving heir male of his body, a pension of Two Thousand pounds per annum" (*The Earl Granville*) *April* 16, 261; Motion agreed to

COMMONS
Message from the Queen brought up, and read by Mr. Speaker *April* 13, 200
Moved, "That this House will, on Monday next, resolve itself into the said Committee" (*Mr. Gladstone*); Motion agreed to; Question, Mr. Labouchere; Answer, Mr. Gladstone
Message from Her Majesty considered in Committee *April* 16, 328
Moved, "That the annual sum of Two Thousand Pounds be granted to Her Majesty out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to be settled upon General Garnet Joseph, Lord Wolseley, and the next surviving heir male of his body, for the term of their natural lives" (*Mr. Gladstone*); after short debate, Question put, and agreed to
[See title *Lord Wolseley's Annuity Bill*]

**BARRY, Mr. J.**, *Wexford Co.*
Elective Councils (Ireland), 2R. 3, 9

**BARTTELOT, Colonel Sir W. B.**, *Sussex W.*
Army—Undress Uniforms of the Infantry, 304
Criminal Code (Indictable Offences Procedure), 2R. 161; Motion for Commitment, 338, 339, 341
Customs and Inland Revenue, Comm. 1386; *cl.* 7, 1515
Parliament—Business of the House, 1166
Whitsuntide Recess, 1438
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1582
Parliamentary Oaths Act (1866) Amendment, 2R. 969

**BAXTER, Right Hon. W. E.**, *Montrose, &c.*
Parliamentary Oaths Act (1866) Amendment, 2R. 945

**BEACH, Right Hon. Sir M. E. HICKS-**, *Gloucestershire, E.*
Africa (South)—Transvaal Government—Dr. Jorissen, 78
Municipal Corporations (Unreformed), Comm. Motion for reporting Progress, 1517, 1519
Parliament—Business of the House—Transvaal Debate, 87

**BELLINGHAM, Mr. A. H.**, *Louth*
Parliamentary Oaths Act (1866) Amendment, 2R. 1614

**BELMORE, Earl of**
Arrears of Rent (Ireland) Act, 1882, 188
Medical Act Amendment, Comm. *cl.* 9, 591
Metropolis—St. James's Park, 411, 734
Navy—Naval Lieutenants, Res. 263, 270

**BENTINCK, Right Hon. G. A. F. Cavendish**, *Whitehaven*
Contagious Diseases Acts Committee — The Judge Advocate General, 1275, 1276
Contagious Diseases Acts, Res. 752, 822
Steamship "Leon XIII.," Res. 1080
Supply, 1916, 1926, 1937

**BERESFORD, Mr. G. De La Poer**, *Armagh*
Poor Law (Ireland)—Election of Guardians—Manorhamilton Union, 1707

**BIDDELL, Mr. W.**, *Suffolk, W.*
Metropolitan District Railway, 2R. 1045

**BIGGAR, Mr. J. G.**, *Cavan Co.*
Army (Auxiliary Forces)—Antrim Artillery, 1705
Constabulary and Police (Ireland) (Pay and Pensions), Leave, 1953
Criminal Code (Indictable Offences Procedure), Motion for Commitment, 339
Customs and Inland Revenue, Comm. *cl.* 7, 1511
Ireland—Questions
  Irish Land Commission (Sub-Commissioners)—Lieutenant Colonel Davys, 308, 309, 898
  National Education—Model Schools, 309
  Peace Preservation Act, 1881 — House Searching, 895
  Poor Law—Belfast Workhouse, 308, 1139
  Post Office—Belfast Letter Carriers and the Good Service Stripe, 1705
  Prevention of Crime Act, 1882—Defence of Prisoners—Collection of Voluntary Subscriptions, 617;—Sec. 14—Police Searches, 1409, 1410
Law and Police (Scotland)—The Chief Constable of Sutherland, 1411
Lord Alcester's Annuity, 2R. 686
Magistracy—Penzance—Martin Nash, 1424
Municipal Corporations (Unreformed), Comm. 1523, 1524
Supply, 1922, 1923, 1931

**Bills of Exchange (Summary Judgment) Bill** (*Mr. Monk, Mr. Norwood, Mr. Lewis Fry, Mr. Arnold Morley*)
*c.* Ordered; read 1° * *April* 30 [Bill 157]

**Bills of Sale (Ireland) Act (1879) Amendment Bill** (*Mr. Monk, Mr. Patrick Martin, Mr. Corry, Mr. Eugene Collins*)
*c.* Considered *; read 3° *April* 11 [Bill 105]
*l.* Read 1ª * (*Lord Fitzgerald*) *April* 12 (No. 29)
Read 2ª * *April* 16
Committee; Report *April* 17, 416
Read 3ª * *April* 20
Royal Assent *April* 26 [46 *Vict.* c. 7]

**BLAKE, Mr. J. A.**, *Waterford Co.*
Elective Councils (Ireland), 2R. 19
Ireland—Lunatic Asylums—Post-Mortem Examinations, 307
  Sale of Liquors on Sunday—The Petition of the Town Council of the City of Dublin, 70

[*cont.*

Blake, Mr. J. A.—*cont.*
- Western Islands of the Pacific—Australian Colonies—Annexation of New Guinea by Queensland, 1718

Bolton, Mr. J. C., *Stirling*
- Parochial Boards (Scotland), 2R. 583
- Railway Commission, Res. 1912

Borlase, Mr. W. C., *Cornwall, E.*
- Municipal Corporations (Unreformed), Comm. Schedule 2, 1538

Bourke, Right Hon. R., *Lynn Regis*
- Africa (River Congo)—Action of Portugal, 912
- Foreign Affairs—The Triple Convention, 1159, 1160
- Steamship "Leon XIII.," Res. 1079
- Treaty of Berlin—Tribute of Bulgaria, 316
- Turkey in Asia—Governor of the Lebanon, 1139
- United States—Dynamite Conspiracies, 1061

*Bradlaugh, Mr., and the National Club*
- Question, Mr. Callan; [No reply] *May* 3, 1725

Bradlaugh, Mr. C., *Northampton*
- Parliamentary Oath (Mr. Bradlaugh)—Communication to the House, 1844
- Parliamentary Oaths Act (1866) Amendment, 2R. 1477

Brand, Right Hon. Sir H. B. W. (*see* Speaker, The)

Brassey, Sir T. (Civil Lord of the Admiralty), *Hastings*
- Navy—Greenwich Hospital Pensions, 747;—The Pictures, 1052

*Brazil—Chinese Coolies*
- Question, Mr. Cropper; Answer, Lord Edmond Fitzmaurice *April* 19, 620

Bright, Mr. J., *Manchester*
- Africa (River Congo)—Portugal, 911, 912

Brinton, Mr. J., *Kidderminster*
- Limited Partnerships, 2R. 1687

*British Guiana—Action of the Quarantine Board*
- Question, Sir John Lubbock; Answer, Mr. Evelyn Ashley *May* 4, 1863

*British Possessions Abroad—The Royal Commission*
- Question, Observations, The Earl of Carnarvon; Reply, The Earl of Northbrook *May* 4, 1831

Broadhurst, Mr. H., *Stoke-on-Trent*
- Criminal Code (Indictable Offences Procedure), 2R. 126
- Lord Wolseley's Annuity, 2R. Amendt. 692
- Patents for Inventions, 2R. 367
- Steam Boilers (Persons in Charge), 2R. 1700

Brodrick, Hon. W. St. J. F., *Surrey, W.*
- Irish Land Commission—Fair Rents—Appeals, 1060
  - Valuers—Result of Appointment, 1160
- Local Taxation, 630, 1278
- Parliamentary Franchises—Foreign Countries, 317

Brooks, Mr. M., *Dublin*
- Post Office (Contracts)—Irish Mail Service, 60

Brown, Mr. A. H., *Wenlock*
- Limited Partnerships, 2R. 1684

Bruce, Hon. R. P., *Fifeshire*
- Parochial Boards (Scotland), 2R. 570

Bruce, Sir H. H., *Coleraine*
- Elective Councils (Ireland), 2R. 20
- Poor Removal and Settlement (Ireland), 2R. 1083, 1084
- Post Office (Contracts)—Irish Mail Service, 1708

Bryce, Mr. J., *Tower Hamlets*
- Criminal Code (Indictable Offences Procedure), 2R. 121
- Lord Wolseley's Annuity, 2R. 715
- Parochial Charities (London), 2R. 1695

Buchanan, Mr. T. R., *Edinburgh*
- Endowed Schools Acts—Charity Commissioners, 605
- Parochial Boards (Scotland), 2R. 575
- Poor Removal and Settlement (Ireland), 2R. 1082
- Scotland—Distress in the Highlands and Islands, 56
  - Poor Law—Boarding out of Pauper Lunatics—The Duke of Hamilton, 737
- Supply, 1924

Bulwer, Mr. J. R., *Cambridgeshire*
- Local Option, Res. 1371

*Burmah—Observance of Treaties with India*
- Question, Mr. Onslow; Answer, Mr. J. K. Cross *April* 30, 1414

Burnaby, General E. S., *Leicestershire, N.*
- Greenwich Hospital—The Pictures, 1052

Burt, Mr. T., *Morpeth*
- Lord Wolseley's Annuity, 2R. 695
- Mines Regulation—Employers' Liability Act, 612

Bury, Viscount
- International Fisheries Exhibition—Proposed Fish Market, 1544

Buxton, Mr. F. W., *Andover*
- Local Option, Res. 1351
- Madagascar—Duties on Rum, 603
- Parliamentary Franchises—Foreign Countries, 317
- Ways and Means—Financial Proposals—Railway Passenger Duty, 316

**CAINE, Mr. W. S.,** *Scarborough*
Local Option, Res. 1294, 1312

**CAIRNS, Earl**
Africa (West)—Church Missionary Society—Action of Agents on the River Niger, 33, 34
Land Law (Ireland)—Select Committee—Motion to Summon a Witness, 1118
Land Law (Ireland)—Sub-Commissioners, 1541
Medical Act Amendment, Comm. *cl.* 9, 592, 595; *cl.* 38, 602; Report, *cl.* 9, 1126

**CALLAN, Mr. P.,** *Louth*
Bradlaugh, Mr., and the National Club, 1725
Constabulary and Police (Ireland) (Pay and Pensions), Leave, 1953
Criminal Code (Indictable Offences Procedure), Motion for Commitment, 336
Elective Councils (Ireland), 2R. 9, 22
Ireland—Arrests for Drunkenness—Constabulary Reports, 79
Parliament—Rules and Orders—Sittings of Grand Committees, Motion for Adjournment, 1701

**CAMERON, Dr. C.,** *Glasgow*
Army (India)—Glanders in the Bengal Cavalry, 417
Chili and Peru—War—Convention for Settlement of Claims of British Subjects, 1570
Egypt (Military Expedition)—Purchase of Mules, 298, 299
Parochial Boards (Scotland), 2R. 529, 547, 548, 551, 554, 557, 560, 561, 569, 582, 914
Scotland—Questions
  Extractor's Office—"Register of Acts and Decrees, 1880," 606
  Poor Law—Excessive Legal Charges upon a Pauper Lunatic, 735, 736
  Registrar General's Report, 740
Steamship "Leon XIII." Res. 1063

**CAMPBELL, Sir G.,** *Kirkcaldy, &c.*
Africa (South)—Natal—Changes in the Legislative Council, 54, 55
Africa (West Coast)—Sierra Leone—Annexation of Neighbouring Territory, 627, 628
Australian Colonies — Occupation of New Guinea by Queensland, 324, 626, 747, 748
Criminal Code (Indictable Offences Procedure), 2R. 100; Motion for Commitment, 348
Lord Alcester's Annuity, 2R. 660, 686
Parliament—Public Business, 89

**CAMPBELL, Mr. J. A.,** *Glasgow, &c. Universities*
Education Department (Scotland)—Denominational Schools at Glencreran, Argyllshire, 894
  Examination of Higher Class Schools, 896
Parliamentary Oaths Act (1866) Amendment, 2R. 1658

**CAMPBELL-BANNERMAN, Mr. H.** (Secretary to the Admiralty), *Stirling, &c.*
Army — Compassionate Allowances — Captain Wardell, 197
Lord Alcester's Annuity, 2R. 679

**CAMPBELL-BANNERMAN, Mr. H.**—*cont.*
National Liberal Club, 1875
Navy—Questions
  H.M.S. "Daring," 1579
  Naval Artificers, 1155
  Naval Stores—Engines and Boilers Supplied by Private Firms—Guarantee, 302
  Navy Pensions, 425, 612
  Purchase of Cloth, 198
  Royal Marines—Pay of Men Employed on Police Duty in Ireland, 1152
  Seamen and Marines—Establishment of a Pension Fund, 1721
  Victualling, &c.—Seamen's Rations, 303
  Warrant Officers, 306

**CAMPERDOWN, Earl of**
Africa (South)—Zululand—Encroachment of Subjects of the Transvaal, 1000, 1007
Medical Act Amendment, Comm. *cl.* 3, 587; *cl.* 9, 593; *cl.* 38, Amendt. 602; Report, *cl.* 9, 1122; *cl.* 26, 1126; *cl.* 36, 1128; *cl.* 55, Amendt. 1129; 3R. 1262

**CANTERBURY, Archbishop of**
Africa (West)—Church Missionary Society—Action of Agents on the River Niger, 39

**CARBUTT, Mr. E. H.,** *Monmouth, &c.*
Army (India)—Civil Pay of Military Officers, 1415, 1422
Egypt—Irrigation—Despatch of the Earl of Dufferin, 891
India—Public Works Department, 1156
  Consulting Engineers, 894
  Salary of Officers Engaged in the Afghan Campaign, 897
Navy—H.M.S. "Daring," 1579
Parliament—Public Business—Tuesdays and Fridays, 631
Patents for Inventions, 2R. 331, 382

**CARLINGFORD, Lord** (Lord President of the Council)
Contagious Diseases (Animals) Acts—Foot-and-Mouth Disease, Motion for Correspondence, 283, 292
Education Department—New Code, 190
Ireland—Questions
  Arrears of Rent Act, 1882, 188
  Land Law—Sub-Commissioners, 1540
  Royal Irish Constabulary—Report of Committee of Inquiry, 414
Ireland—Agricultural Labourers, Res. 177
Ireland—Emigration, Res. 879
Ireland—National Education, Motion for a Paper, 1009
Land Law (Ireland) — Landlords under the Irish Land Act, Motion for an Address, 1398, 1403
Land Law (Ireland)—Select Committee—Motion to Summon a Witness, 1117
Medical Act Amendment, Comm. *cl.* 3, 587; *cl.* 9, 588, 591, 594; Amendt. 595; *cl.* 10, 597; Amendt, 598; *cl.* 14, Amendt. *ib.*; *cl.* 15, Amendt. *ib.*; *cl.* 20, 599; *cl.* 22, Amendt. *ib.*, 600; *cl.* 23, Amendt. *ib.*; *cl.* 24, Amendt. *ib.*; *cl.* 25, Amendt. 601; *cl.* 28, Amendt. *ib.*; *cl.* 38, Amendt. 602; Report,

[*cont.*

**Carlingford, Lord**—*cont.*
*cl.* 9, Amendt. 1120, 1122, 1124; *cl.* 20, Amendt. 1125; *cl.* 25, Amendt. *ib.*; *cl.* 26, 1127; *cl.* 27, Amendt. *ib.*; *cl.* 36, Amendt. *ib.*, 1128; *cl.* 40, Amendt. *ib.*; *cl.* 41, Amendt. *ib.*; *cl.* 51, Amendt. 1129; *cl.* 53, Amendt. *ib.*; *cl.* 55, 1130; *cl.* 71, Amendt. *ib.*; First Schedule, Amendt. *ib.*; 3R. 1262

**Carnarvon, Earl of**
British Possessions Abroad—The Royal Commission, 1831
Western Islands of the Pacific—Australian Colonies—Annexation of New Guinea by Queensland, 724

**Carrington, Lord**
Poor Law (England)—Lady Inspectors, 53

**Cartwright, Mr. W. C.,** *Oxfordshire*
Africa (South)—Transvaal—Policy of H.M. Government, Res. 202

**Causton, Mr. R. K.,** *Colchester*
Supply, 1921

**Cecil, Lord E. H. B. G.,** *Essex, W.*
Army—Questions
  Army and the Militia—Numbers, 311
  Army Medical and Transport Services—Report of the Committee, 1271
  First Class Reserve Men, 425
Lord Wolseley's Annuity, 2R. 709, 710, 711, 712

**Cemeteries Bill**
(*Mr. Richard, Mr. Illingworth, Mr. Henry H. Fowler, Mr. George Russell, Mr. Woodall, Mr. Caine*) [Bill 45]
*c.* Moved, "That the Bill be now read 2°" *April* 25, 1084
After debate, Amendt. to leave out "now," add "upon this day six months" (*Mr. Beresford Hope*); Question proposed, "That 'now,' &c.;" after further debate, Moved, "That the Debate be now adjourned" (*Mr. O'Donnell*); after further debate, Question put; A. 121, N. 150; M. 29 (D. L. 71)
Main Question again proposed, 1112; after short debate, Debate adjourned

*Census*, 1881, *The*
Question, Mr. W. H. Smith; Answer, Sir Charles W. Dilke *April* 26, 1158

*Central Asia—Russian Advance*
Question, Viscount Cranbrook; Answer, Earl Granville *April* 20, 719

**Chamberlain, Right Hon. J.** (President of the Board of Trade), *Birmingham*
Africa (South)—Transvaal—Policy of H.M. Government, Res. 231
Channel Tunnel—Joint Committee, 312; Res. 399
Explosive Substances Act, Sec. 54, 746

[*cont.*

**Chamberlain, Right Hon. J.**—*cont.*
Fisheries—Trawlers, 1421, 1422
Limited Partnerships, 2R. 1688, 1694
Mercantile Marine—Questions
  Classification of Merchant Vessels, 301
  Loss of Life at Sea, 1872
  Signalling at Sea, 66
Merchant Shipping—Load-line of Ships, 610
Metropolis—Electric Lighting, 1272
Patents for Inventions, 2R. 349, 356, 363, 382; Motion for Commitment, 388
Railway Commission, Res. 1898

**Chancellor, The Lord** (Earl of Selborne)
Contagious Diseases (Animals) Acts—Foot-and-Mouth Disease, Motion for Correspondence, 292
Contempts of Court, Comm. *cl.* 16, Amendt. 886, 887, 888
Land Law (Ireland) — Landlords under the Irish Land Act, Motion for an Address, 1404, 1405
Representative Peers (Scotland), Comm. 1828, 1830

**Chancellor of the Exchequer, The** (Right Hon. H. C. E. Childers), *Pontefract*
Contagious Diseases Acts, Res. 849, 850, 855
Customs and Inland Revenue, 914; 2R. 988, 989, 990, 995, 1246, 1248, 1250; Comm. 1384, 1387, 1389; *cl.* 4, *ib.*; *cl.* 6, 1390; *cl.* 7, 1514
Government Life Annuitants—Certificates—10 Geo. IV., c. 24, 892
Inland Revenue—Collection of Income Tax, 63, 64, 303, 622
  Income Tax on Agricultural Land (Ireland), 1717
Lord Alcester's Annuity, 2R. 665, 667
Lord Wolseley's Annuity, 2R. 712
Municipal Corporations (Unreformed), Comm. 1521, 1522
Parliament—Questions
  Business of the House, Ministerial Statement, 1880;—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1593
  Inland Revenue Department—Grievances of Officers — Right of Petition, 1164, 1272, 1273
  Public Business, 89
Parliamentary Oaths Act (1866) Amendment, 2R. 1510
Post Office (Contracts)—Irish Mail Service, 325
Public Funds—Transfer of Stock, 1717
United Kingdom—Cultivation of Tobacco for Sale by Farmers, 622
Ways and Means—Financial Proposals—Questions
  Duty on Silver Plate, 314, 325
  Gun Licences, 325, 326
  Railway Passenger Duty, 316

*Channel Tunnel—The Joint Committee*
Lords
Joint Committee with the House of Commons on; Peers nominated *April* 19, 603; Message to the Commons
Message from the Commons *April* 20, 719

[*cont.*

*Channel Tunnel—The Joint Committee*—cont.
COMMONS
Question, Captain Aylmer; Answer, Mr. Chamberlain *April* 16, 312
Moved, "That the Five Members of this House to be appointed to serve on the Joint Committee of Lords and Commons on the Channel Tunnel be nominated by the Committee of Selection" (*Mr. Chamberlain*) *April* 16, 399; after short debate, Question put, and agreed to
Nomination of Members *April* 17, 437
Lords Message [19th April] considered—and Orders made thereon (*Mr. Chamberlain*) *April* 19, 718

CHAPLIN, Mr. H., *Lincolnshire, Mid*
Customs and Inland Revenue, 2R. 989; Motion for Adjournment, 995, 1252
Parliament—Business of the House, 913, 914, 1438
Parliamentary Oaths Act, &c., Postponement of Orders of the Day, 1580, 1581
Parliamentary Oaths Act (1866) Amendment, 2R. 1508, 1746

CHICHESTER, Earl of
Africa (West Coast) — Church Missionary Society—Action of Agents on the River Niger, 37

*Chili and Peru—The War—Claims of British Subjects—The Convention*
Question, Dr. Cameron; Answer, Lord Edmond Fitzmaurice *May* 1, 1570

CHURCHILL, Lord R. H. S., *Woodstock*
Africa (South)—Transvaal—Policy of H.M. Government, Res. 203
Africa (South)—Zululand—Reported Fighting, 1057
Cemeteries, 2R. 1106, 1108
Channel Tunnel—Joint Committee, Res. 399
Constabulary and Police (Ireland) (Pay and Pensions), Leave, 1941
Contagious Diseases Acts, Res. 858
Criminal Code (Indictable Offences Procedure), Motion for Commitment, 339, 340, 346, 347
Egypt—Ahmed Bey Khandeel, 1873, 1874, 1875
House of Commons—The Electric Light, 426, 427
Lord Alcester's Annuity, 2R. 652, 677
Parliament—Questions
Business of the House, 1279, 1280
Contagious Diseases Acts, 910, 1865, 1866
Inland Revenue Department—Grievances of Officers — Right of Petition, 1163, 1164, 1272, 1273
Public Business—Tuesdays and Fridays, 632
Parliamentary Oath (Mr. Bradlaugh), 322, 431
Parliamentary Oaths Act (1866) Amendment, 436; 2R. 1174, 1179; Motion for Adjournment, 1222, 1439, 1496, 1741, 1758
Patents for Inventions, Motion for Commitment, 388
Prevention of Crime (Ireland) Act (1882) (Audience of Solicitors), Comm. *cl.* 2, Motion for reporting Progress, 395, 396
Supply, Amendt. 1915, 1919, 1923, 1932

*Civil Service Competition — Class I.— Clerkships*
Question, Baron Henry De Worms; Answer, Mr. Courtney *April* 12, 76

CLARKE, Mr. E. G., *Plymouth*
Criminal Code (Indictable Offences Procedure), 2R. 196
Local Option, Res. 1370
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1589
Parliamentary Oaths Act (1866) Amendment, 2R. 1619
Supply, 1921

COLEBROOKE, Sir T. E., *Lanarkshire, N.*
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1582
Parochial Boards (Scotland), 2R. 556, 558, 914

COLLINGS, Mr. J., *Ipswich*
Ireland—Law and Police—Trial of Fitzharris for Murder, 1578

COLLINS, Mr. T., *Knaresborough*
Cemeteries, 2R. 1094, 1111, 1112
Parliament—Business of the House—Parliamentary Oaths Act, &c., Postponement of Orders of the Day, 1597

COLTHURST, Col. D. La Zouche, *Cork Co.*
Ireland—Questions
Assisted Emigration, 1430
Law and Police—Cost of Conveying Prisoners, 625
State of—Distress in the West and North-West, 1407, 1408
Ireland—Poor Law—Questions
Bantry—Election of Guardians, 420
Outdoor Relief, 1706;—Unions of Glenties and Dunfanaghy, 1863
Workhouse Test, 59

COMMINS, Dr. A., *Roscommon*
Criminal Code (Indictable Offences Procedure), 2R. 124, 126

COMPTON, Mr. F., *Hants, S.*
New Forest (Highways) Bill—Crown Contributions in lieu of Highway Rates, 65

**Constabulary and Police (Ireland) (Pay and Pensions) Bill**
(*Mr. Trevelyan, Mr. Courtney, Mr. Herbert Gladstone*)
c. Order for Committee read; Moved, "That Mr. Deputy Speaker do now leave the Chair" (*Sir William Harcourt*) *May* 1, 1668; Motion agreed to
Resolution considered in Committee; after short debate, Resolution agreed to
Resolution reported, and agreed to *May* 3, 1825; Moved, "That a Bill be brought in upon the said Resolution" (*Mr. Trevelyan*);
[*cont.*

*Constabulary and Police (Ireland) (Pay and Pensions) Bill*—cont.
Moved, "That the Debate be now adjourned" (*Mr. Parnell*); after short debate, Motion agreed to; Debate adjourned
Debate resumed *May* 4, 1941; Moved, "That this House do now adjourn" (*Mr. O'Brien*); Motion withdrawn; after debate, Question put, and agreed to; Bill ordered; read 1° * [Bill 171]

*Contagious Diseases Acts*
Question, Mr. Tottenham; Answer, Sir Arthur Hayter *April* 17, 425
*Legislation*, Question, Lord Randolph Churchill; Answer, The Marquess of Hartington *April* 23, 910; Questions, Lord Randolph Churchill, Sir H. Drummond Wolff, Mr. Warton; Answers, The Marquess of Hartington, Sir William Harcourt *May* 4, 1865

*Contagious Diseases Acts*
Amendt. on Committee of Supply *April* 20, To leave out from "That," add "this House disapproves of the compulsory examination of women under the Contagious Diseases Acts" (*Mr. Stansfeld*) *v.*, 749; Question proposed, "That the words, &c.;" after long debate, Moved, "That the Debate be now adjourned" (*Mr. Gorst*); Motion withdrawn; after further short debate, Question put; A. 110, N. 182; M. 72
Div. List, A. and N. 855
Words added; main Question, as amended, put, and agreed to
Resolved, That this House disapproves of the compulsory examination of women under the Contagious Diseases Acts

*Contagious Diseases Acts Committee—The Judge Advocate General*
Question, Mr. Cavendish Bentinck; Answer, Mr. Gladstone *April* 27, 1275

*Contagious Diseases (Animals) Acts—Foot-and-Mouth Disease*
Question, Mr. Harrington; Answer, Mr. Trevelyan *April* 30, 1433; Question, Mr. Guy Dawnay; Answer, Mr. Dodson *May* 3, 1710

*Contagious Diseases (Animals) Acts—Foot-and-Mouth Disease*
Moved, "That an humble Address be presented to Her Majesty for any correspondence with Foreign Governments on the subject of the continued importation of foot-and-mouth disease from abroad" (*The Duke of Richmond and Gordon*) *April* 16, 273; after debate, Motion agreed to

**Contempts of Court Bill** [H.L.]
(*The Lord Chancellor*)
*l.* Committee *April* 23, 886 (No. 15)
Report * *April* 27 (No. 45)
Read 3ª * *April* 30

**Copyright Bill**
(*Mr. Hastings, Mr. Hanbury-Tracy, Sir Gabriel Goldney, Mr. Agnew*)
*c.* Ordered; read 1° * *April* 11 [Bill 141]

Corbet, Mr. W. J., *Wicklow Co.*
Ireland—Questions
Arterial Drainage Acts, 1702
Crime—Murder of John Flanagan, 1132; —Wicklow Co., 1138
Criminal Lunatic Asylum, Dundrum, 1708; — Post-Mortem Examinations, 1053, 1408, 1409
Poor Law—Rathdrum Union—Election of a Guardian, 1133;—Shillelagh Union, Co. Galway—Election of Guardians, 1872
Public Health—Typhus Fever in Dublin, 1052, 1871

*Cornwall, Duchy of—Lease of Land for Convict Prisons*
Question, Mr. Acland; Answer, Sir William Harcourt *April* 23, 911

Cotton, Mr. Alderman W. J. R., *London*
Inland Revenue—Collection of Income Tax, 63

Courtauld, Mr. G., *Maldon*
Parliamentary Oaths Act (1866) Amendment, 2R. 1200

Courtney, Mr. L. H. (Financial Secretary to the Treasury), *Liskeard*
Civil Service Competition—Class 1—Clerkships, 76
Criminal Code (Indictable Offences Procedure), Motion for Commitment, 346
Customs Imports — Tabulation of Butter Substitutes, 1703
Friendly, &c. Societies (Nominations), 2R. 1666
Highways—Forest of Dean, 1272
Inland Revenue—Income Tax (Schedule B), 1135
Ireland—Questions
Arrears of Rent Act—Emigration Grant, 1435
Arterial Drainage Acts, 1703
Board of Works Drainage, 905
Drainage Loans—Payment of Instalments, 897
Imperial Expenditure, 1151
Inland Navigation and Drainage—Upper Shannon, 318, 1150
Land Law Act, 1881—Loans to Irish Tenants, 1157
New Forest (Highways) Bill—Crown Contributions in lieu of Highway Rates, 65
New Forest (Highways), 2R. 1667
Parliament—Board of Works (Ireland), 74
Poor Relief (Ireland), Motion for Leave, 1259
Post Office (Contracts)—Irish Mail Service—Papers, 80, 81
West Coast of Africa, 1141

**Court of Chancery of Lancaster Bill** [H.L.]
(*The Lord Chancellor*)
*l.* Presented; read 1ª * *April* 23 (No. 43)
Read 2ª * *April* 30
Committee * *May* 1
Report * *May* 4

*Court of Criminal Appeal* [*Payment of Costs*]
Considered in Committee *April* 16, 398; Resolution agreed to
Resolution reported *April* 17

**Cowen**, Mr. J., *Newcastle-on-Tyne*
Africa (South)—Transvaal Convention, 1881, 1163
Cemeteries, 2R. 1112
Danubian Commission, 1415
Law and Police—Dynamite and Explosive Materials—Rewards to Officers, 296
Lord Alcester's Annuity, 2R. 662
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1586

**Cowper**, Earl
Royal Irish Constabulary—Report of Committee of Inquiry, 415

**Craig**, Mr. W. Y., *Staffordshire, N.*
Railway Commission, Res. 1904

**Cranbrook**, Viscount
Asia (Central)—Russian Advance, 719
Land Law (Ireland)—Landlords under the Irish Land Act, Motion for an Address, 1406
Stage Plays in Aid of Charities, 2R. 722

**Criminal Code (Indictable Offences Procedure) Bill**
(*Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland*)
*c.* Moved, "That the Bill be now read 2°" *April* 12, 90
Amendt. to leave out from "That," add "no Bill on Criminal Procedure will be satisfactory to this House which does not provide for the return of the verdict by a majority of the jurors; the public interrogation of the accused before committal and before conviction; and the assignment of counsel to prisoners" (*Mr. Stanley Leighton*) *v.*; Question, "That the words, &c.," put, and agreed to
Main Question again proposed, "That the Bill be now read 2°;" after long debate, Moved, "That the Debate be now adjourned" (*Mr. Sexton*); after further debate, Question put; A. 19, N. 128; M. 109 (D. L. 56)
Main Question again proposed, "That the Bill be now read 2°," 156; Moved, "That this House do now adjourn" (*Mr. Kenny*); after short debate, Question put; A. 15, N. 131; M. 116 (D. L. 57)
Main Question put, "That the Bill be now read 2°;" A. 132, N. 16; M. 116 (D. L. 58) [Bill 8]

*Criminal Code* (*Indictable Offences Procedure*) *Bill*—cont.
Moved, "That the Bill be committed to the Standing Committee on Law, and Courts of Justice, and legal Procedure" (*Mr. Attorney General*); Moved, "That the Debate be now adjourned" (*Mr. T. P. O'Connor*); Question put, and agreed to; Debate adjourned
Debate resumed *April* 16, 332
Amendt. to leave out from "committed," add "a Committee of the Whole House" (*Mr. T. P. O'Connor*); Question proposed, "That the words, &c.;" after debate, Question put; A. 98, N. 27; M. 71 (D. L. 59)
Main Question put, and agreed to; Bill committed to the Standing Committee on Law, and Courts of Justice, and Legal Procedure
Moved, "That it be an Instruction to the said Committee that they have power to consolidate the said Bills into one Bill," 347; after short debate, Question put; A. 67, N. 17; M. 50 (D. L. 60)

*Criminal Procedure—Evidence of Accused Persons*
Question, Mr. Warton; Answer, The Attorney General *April* 19, 628

**Cropper**, Mr. J., *Kendal*
Africa (South)—Transvaal—Supply of Arms and Ammunition, 56
Brazil—Chinese Coolies, 620
Cemeteries, 2R. 1091
Local Option, Res. 1358, 1359
London and North Western Railway (Additional Powers), Consid. 1555
Madagascar—The Envoys, 306
Metropolitan District Railway, 2R. 1025
Parliament—Business of the House—Transvaal Debate, 87

**Cross**, Right Hon. Sir R. A., *Lancashire, S.W.*
Artizans' and Labourers' Dwellings Act, 1882, 295, 296
Cemeteries, 2R. 1100
Criminal Code (Indictable Offences Procedure), 2R. 104
Duchy of Lancaster—Foreshores—Corporation of Southport, 1719
Ireland—Prisons—Spike Island, 1413
Local Option, Res. 1367
Metropolitan Water Companies—Return of Accounts, 1713
Parliament—Business of the House—Cuban Refugees, 1575
Parliamentary Elections, &c. 1575
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1593
Parliamentary Oaths Act (1866) Amendment, 2R. 923, 924; Amendt. 934, 1177, 1181, 1461, 1506
Scotland—Law and Justice—Sheriff Clerk of Forfarshire, 424
Spain—Expulsion of certain Cuban Refugees from Gibraltar—The Debate, 323

Cross, Mr. J. K. (Under Secretary of State for India), *Bolton*
- Army (India)—Civil Pay of Military Officers, 1415, 1423
  - Glanders in Bengal Cavalry, 418
- East India—Code of Criminal Procedure (Native Jurisdiction over British Subjects), 1410
- India—Questions
  - Burmah—Observance of Treaties with India, 1414
  - Expeditionary Force—Field Allowance, 1152, 1153
  - Indian Public Works—The Loan, 195, 196
  - Madras—Compulsory Vaccination, 1158; —Riots at Salem, 625
  - Vaccination, 611
- India—Public Works Department—Questions 1156
  - Consulting Engineers, 894
  - Salary of Officers engaged in the Afghan Campaign, 898

**Crown Lands Bill** [Bill 122]
(*Mr. Courtney*, *Mr. Herbert Gladstone*)
- *c.* Committee discharged; Bill referred to a Select Committee of Five Members, Three to be nominated by the House, and Two by the Committee of Selection *April* 16
- Select Committee nominated *April* 20

Currie, Sir D., *Perthshire*
- France and Annam—French Protectorate over Tonquin, 912

**Customs and Inland Revenue Bill**
(*Sir Arthur Otway*, *Mr. Chancellor of the Exchequer*, *Mr. Courtney*)
- *c.* Read 1° * *April* 11 [Bill 140]
- Question, Mr. Macfarlane; Answer, The Chancellor of the Exchequer *April* 23, 914
- Moved, "That the Bill be now read 2°" *April* 23, 988; Moved, "That this House do now adjourn" (*Mr. Hicks*); after short debate, Question put; A. 81, N. 102; M. 21 (D. L. 69)
- Question again proposed, "That the Bill be now read 2°;" Moved, "That the Debate be now adjourned" (*Mr. Chaplin*); after short debate, Question put, and agreed to; Debate adjourned
- Debate resumed *April* 26, 1223
- Amendt. to leave out from "That," add "in view of the growing injury inflicted upon our industries by Foreign Tariffs, and the consequent importance of more rapidly developing the resources of India and the Colonies, it is expedient to free ourselves as early as possible from the restraints of Commercial Treaties to abolish the Duties upon tea, coffee, cocoa, and dried fruits imported from British possessions; to levy specific Duties (in no case equal to more than 10 per cent upon ordinary average values) upon the like articles, as well as upon wheat, flour, and sugar imported from Foreign Countries; and also to impose an Import Duty upon Foreign manufactures, with the notification that it shall cease to operate, as against each Nation, from the day on which such Nation should admit British manufactures Duty free" (*Mr. Ecroyd*) *v.*; Question proposed, "That the words, &c.;" after debate, Question put, and agreed to
- Main Question, "That the Bill be now read 2°," put, and agreed to
- Order for Committee read; Moved, "That Mr. Deputy Speaker do now leave the Chair" *April* 27, 1380
- Amendt. to leave out from "That," add "this House earnestly commends to Her Majesty's Government the provision of a general Valuation Bill (in extension of 'The Metropolis Valuation Act, 1869'), and the adjustment of the Income Tax, so as to bring Local and Imperial Taxes under the same principle of assessment, a more effective administration, and under a simpler and more acceptable system of collection" (*Mr. J. G. Hubbard*) *v.*; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn
- Main Question, "That Mr. Deputy Speaker, &c." put, and agreed to; Committee—R.P.
- Committee—R.P. *April* 30, 1511

*Customs Imports—Tabulation of Butter Substitutes*
- Question, Mr. Moore; Answer, Mr. Courtney *May* 3, 1703

Dalrymple, Mr. C., *Buteshire*
- Parliamentary Oaths Act (1866) Amendment, 2R. 949
- Parochial Boards (Scotland), 2R. 580, 582
- Post Office—Telegraph Department—Porterage of Telegrams, 75

Daly, Mr. J., *Cork City*
- Cemeteries, 2R. 1107
- Criminal Code (Indictable Offences Procedure), 2R. 127; Motion for Commitment, 335
- Local Option, Res. 1320
- Parliamentary Oaths Act (1866) Amendment, 2R. 1198
- Public Health—Nazareth House, Hammersmith, 1136

*Danubian Commission, The*
- Question, Mr. Joseph Cowen; Answer, Lord Edmond Fitzmaurice *April* 30, 1415

*Danubian Conference, The—Admission of Roumania*
- Question, Mr. O'Donnell; Answer, Lord Edmond Fitzmaurice *April* 12, 64

Davenport, Mr. W. Bromley-, *Warwickshire, N.*
- Parliament—Palace of Westminster—Statues in Westminster Hall, 325, 611

Davey, Mr. H., *Christchurch*
- Limited Partnerships, 2R. 1693
- Municipal Corporations (Unreformed), Comm. *cl.* 5, Amendt. 1528
- Parliamentary Oaths Act (1866) Amendment, 2R. 1630
- Patents for Inventions, 2R. 371

[*cont.*

**Davies, Mr. W.**, *Pembrokeshire*
Municipal Corporations (Unreformed), Comm. *add. cl.* 1536

**Dawnay, Hon. Guy C.**, *York, N.R.*
Africa (South)—Zululand—Action of Mr. John Shepstone, 1423
Contagious Diseases (Animals) Acts—Foot-and-Mouth Disease, 1710
Parliamentary Oaths Act (1866) Amendment, 2R. 1626
Post Office—Sixpenny Telegrams—Liability of Guarantors, 1151
Prisons (England and Wales)—Convict Labour, 1705

**Dawson, Mr. C.**, *Carlow*
Criminal Code (Indictable Offences Procedure), 2R. 153, 154
Indian Public Works—The Loan, 196
Ireland—Questions
  Irish Mail Contract—Papers, 80;—Registration of Voters Bill, 1
  Law and Justice—Trial of Joseph Brady for Murder, 193
  Sale of Liquors on Sunday Bill—Petition of the Town Council of the City of Dublin, 71

**Denman, Lord**
Contagious Diseases (Animals) Acts—Foot-and-Mouth Disease, Motion for Correspondence, 291

**Derby, Earl of** (Secretary of State for the Colonies)
Africa (South)—Zululand—Encroachment of Subjects of the Transvaal, 1004, 1007
Africa (West Coast) — Church Missionary Society—Action of Agents on the River Niger, 36
Western Islands of the Pacific—Australian Colonies—Annexation of New Guinea by Queensland, 728

**De Worms, Baron H.**, *Greenwich*
Africa (River Congo)—Action of Portugal, 608
Civil Service Competition—Class 1—Clerkships, 76
Explosive Substances Act—Sec. 54, 746
Parliamentary Oaths Act (1866) Amendment, 2R. 961, 987

**Dickson, Mr. T. A.**, *Tyrone*
Elective Councils (Ireland), 2R. 20

**Dilke, Right Hon. Sir C. W.** (President of the Local Government Board), *Chelsea, &c.*
Census, 1881, 1158
Local Taxation—Subvention of 1874—Subsequent Increase of the Cost of the Police, 1271
Local Taxation, Res. 485, 490, 493

**Dilke, Right Hon. Sir C. W.**—*cont.*
London and North Western Railway (Additional Powers), Consid. 1560, 1563, 1564, 1565, 1567
Metropolis—Questions
  Metropolitan Water Companies—Return of Accounts, 1713
  Open Spaces—St. James's Burial Ground, Westminster, 1433
  Water Supply, 319
Municipal Corporations (Unreformed), Comm. 1518, 1519, 1520, 1521, 1522; *cl.* 3, Amendt. 1525; *cl.* 5, 1526, 1527, 1528; Amendt. 1529; *cl.* 6, Amendt. *ib.*; *cl.* 8, 1530; Amendt. *ib.*; *cl.* 9, Amendt. 1531; *cl.* 10, Amendt. 1533; *cl.* 12, *ib.*, 1534; *cl.* 15, *ib.*; *add. cl.* 1535, 1536, 1537; Schedule 1, Amendt. 1538; Schedule 2, *ib.*
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1582
Parliament—Public Business, 89
Police Force—Cost, 1719
Poor Law—Emigration of Pauper Children, 899
Public Health—Nazareth House, Hammersmith, 1136
Steamship "Leon XIII.," Res. 1080

**Dillwyn, Mr. L. L.**, *Swansea*
Duchy of Lancaster—Sales of Land, 195
Municipal Corporations (Unreformed), Comm. *cl.* 12, 1533

**Distress Law Amendment Bill**
(*Sir Henry Holland, Mr. Heneage, Sir Walter Barttelot, Mr. Cropper, Sir Joseph Pease*)
c. Committee—R.P. *May* 1, 1666 [Bill 44]

**Dixon-Hartland, Mr. F. D.**, *Evesham*
Afghanistan—Sir Lepel Griffin's "Liberal Policy in Afghanistan," 322
Local Option, Res. 1345
Parks (Metropolis)—Mounds in the Green Park, 191

**Dodds, Mr. J.**, *Stockton*
Parliament—Business of the House—Standing Committees and Private Bill Committees, 435
Parliamentary Oaths Act (1866) Amendment, 2R. 1664

**Dodson, Right Hon. J. G.** (Chancellor of the Duchy of Lancaster), *Scarborough*
Contagious Diseases (Animals) Acts—Foot-and-Mouth Disease, 1710
Duchy of Lancaster—Foreshores—The Corporation of Southport, 73, 196, 197, 1720;—Sales of Land, 195
Patents for Inventions, Motion for Commitment, 391

**Donoughmore, Earl of**
Emigration (Ireland), Res. 885

[*cont.*

Douglas, Mr. A. Akers-, *Kent, E.*
Municipal Corporations (Unreformed), Comm. 1522 ; *cl.* 15, Amendt. 1534
Parliamentary Oaths Act (1866) Amendment, 2R. 1613

**Drainage (Ireland) Provisional Orders Bill** (*Mr. Courtney, Mr. Trevelyan*)
*c.* Ordered ; read 1° * *April* 16 [Bill 144]
Read 2° * *April* 25

*Duchy of Lancaster*
*Foreshores—The Corporation of Southport*, Question, Mr. Summers ; Answer, Mr. Dodson *April* 12, 73 ; Questions, Mr. Summers, Sir R. Assheton Cross ; Answers, Mr. Dodson *April* 13, 196 ; *May* 3, 1719
*Sales of Land*, Questions, Mr. Dillwyn, Mr. Rylands ; Answers, Mr. Dodson *April* 13, 195

Duckham, Mr. T., *Herefordshire*
Compensation for Agricultural Improvements, 629
Ireland—Cattle Disease, 1155
Parliament — Minister of Agriculture and Commerce, 1165
Railway Commission, Res. 1910

Dunraven, Earl of
Agricultural Labourers (Ireland), Res. 167, 186
Emigration (Ireland), Res. 859, 886

Dunsany, Lord
Navy—The Naval Forces, Motion for a Select Committee, 43

Dyke, Right Hon. Sir W. H., *Kent, Mid*
Egypt (Expeditionary Force)—Field Allowance, 1152, 1153
Local Option, Res. 1288
Parliamentary Oath (Mr. Bradlaugh), 321
Parliamentary Oaths Act (1866), 427
Parliamentary Oaths Act (1866) Amendment, 2R. 1490

*Ecclesiastical Affairs — The Anglican Bishopric of Jerusalem*
Question, Mr. Raikes ; Answer, Mr. Gladstone *April* 13, 199

Ecroyd, Mr. W. F., *Preston*
Customs and Inland Revenue, 2R. 991 ; Amendt. 1224, 1248, 1250, 1256
Limited Partnerships, 2R. 1685, 1686
Patents for Inventions, 2R. 380

*Education Department* (*Questions*)
*Carnarvon Training College*, Question, Mr. H. H. Fowler ; Answer, Mr. Mundella *April* 26, 1131
*Double Fees—Bridgnorth Union*, Question, Mr. H. H. Fowler ; Answer, Mr. Mundella *April* 19, 604
*The New Code*, Question, Observations, Lord Norton ; Reply, Lord Carlingford ; Observations, Earl Fortescue *April* 13, 189

[*cont.*

*Education Department*—cont.
*Elementary Education Acts—The North Surrey District Schools*, Question, Mr. Grantham ; Answer, Mr. Hibbert *April* 12, 61
*Endowed Schools Acts—The Charity Commissioners*, Question, Mr. Buchanan ; Answer, Mr. Mundella *April* 19, 605
*Intermediate Education (Wales)—Legislation*, Question, Viscount Emlyn ; Answer, Mr. Mundella *May* 3, 1718

Edwards, Mr. J. P., *Salisbury*
Magistracy (England and Wales) —Newspaper Proprietors, 1153

Egerton, Admiral Hon. F., *Derbyshire, E.*
Navy Pensions, 425

Egerton, Hon. A. F., *Wigan*
Africa (South)—Zululand—Reported Fighting, 1057
Parliament—Public Business, 89
Parliamentary Oaths Act (1866) Amendment, 2R. 957

Egerton, Hon. Alan de Tatton, *Mid Cheshire*
Army (Auxiliary Forces)—Aldershot, 744
Cemeteries, 2R. 1110
Contagious Diseases Act, Res. 853
Local Option, Res. 1372

*Egypt*
Lords
*Expeditionary Force—Field Allowances*, Question, Observations, Viscount Enfield ; Reply, The Earl of Kimberley *May* 4, 1836

*Egypt*
Commons (*Questions*)
*Military Expedition — Purchase of Mules*, Questions, Dr. Cameron ; Answers, Sir Arthur Hayter *April* 16, 298
*The Army Pay Department—Reward for Services*, Question, Mr. Whitley ; Answer, Sir Arthur Hayter *April* 12, 68
*The Expeditionary Force—Field Allowance*, Question, Sir William Hart Dyke ; Answer, Mr. J. K. Cross *April* 26, 1152
*Re-organization*, Questions, Mr. Molloy, Sir Wilfrid Lawson ; Answers, Lord Edmond Fitzmaurice *May* 1, 1571 ;—*Mr. Sheldon Amos*, Questions, Mr. Molloy ; Answers, Lord Edmond Fitzmaurice *April* 23, 900 ; *April* 26, 1145
*Ahmed Bey Khandeel and others*, Questions, Sir Wilfrid Lawson, Lord Randolph Churchill, Sir H. Drummond Wolff, Mr. Gorst ; Answers, Lord Edmond Fitzmaurice ; Question, Mr. O'Donnell ; [No reply] *May* 4, 1872
*Harbour of Alexandria*, Question, Mr. W. H. Smith ; Answer, Lord Edmond Fitzmaurice *April* 26, 1144
*Irrigation—Despatch of the Earl of Dufferin*, Question, Mr. Carbutt ; Answer, Lord Edmond Fitzmaurice *April* 23, 891

[*cont.*

*Egypt*—Commons—*cont.*
*Religious Ceremonies at Cairo—The "Holy Carpet"—Attendance of British Troops*, Question, Mr. R. N. Fowler; Answer, The Marquess of Hartington *April* 16, 295

Elcho, Lord, *Haddingtonshire*
Fisheries—Trawlers, 1421
Ireland—Poor Law—Bantry—Election of Guardians, 418
Parliamentary Oaths Act (1866) Amendment, 2R. 965

**Elective Councils (Ireland) Bill**
(*Mr. Barry, Mr. Healy, Mr. Justin M'Carthy, Mr. T. P. O'Connor, Mr. Sexton*)
c. Moved, "That the Bill be now read 2°" *April* 11, 3
Amendt. to leave out "now," add "upon this day six months" (*Colonel King-Harman*); Question proposed, "That 'now,' &c.;" after debate, Question put; A. 58, N. 231; M. 173 (D. L. 55)
Words added; main Question, as amended, put, and agreed to; 2R. put off [Bill 16]

**Elementary Education Provisional Order Confirmation (London) Bill** [H.L.]
(*The Lord President*)
*l.* Presented; read 1ª*, and referred to the Examiners *April* 12 (No. 31)
Read 2ª * *April* 24

**Elementary Education Provisional Orders Confirmation (Cummersdale, &c.) Bill** [H.L.] (*The Lord President*)
*l.* Read 2ª * *April* 16 (No. 23)
Committee*; Report *April* 24
Read 3ª * *April* 26
*c.* Read 1° * *May* 2 [Bill 163]

Elliot, Hon. A. R. D., *Roxburgh*
Criminal Code (Indictable Offences Procedure), 2R. 102, 103

Elliot, Sir G., *Durham, N.*
Metropolitan District Railway, 2R. 1049

Elphinstone, Lord
Navy—Appointments of First Lieutenants, 272
Navy—The Naval Forces, Motion for a Select Committee, 51

Emly, Lord
Medical Act Amendment, Comm. *cl.* 9, 591, 595

Emlyn, Viscount, *Carmarthenshire*
Intermediate Education (Wales), 1718
Local Taxation, Res. 450
Parliamentary Oaths Act (1866) Amendment, 2R. 1644

Enfield, Viscount
Egypt (Expeditionary Force)—Field Allowances, 1836
Poor Law (England)—Lady Inspectors, 52

Errington, Mr. G., *Longford Co.*
Ireland—Land Law Act, 1881—Loans to Irish Tenants, 1156

Evans, Mr. T. W., *Derbyshire, S.*
Metropolitan District Railway, 2R. 1017, 1023

Ewing, Mr. A. Orr-, *Dumbarton*
Parochial Boards (Scotland), 2R. 559, 560, 561

Exeter, Bishop of
Pluralities Acts Amendment, 2R. 1539, 1540

*Explosive Substances Act*, 1875
*Section* 23—*Storage of Gunpowder* (*Ireland*), Question, Observations, The Earl of Limerick; Reply, The Earl of Rosebery *April* 24, 1007; Questions, Colonel King-Harman; Answers, Mr. Trevelyan, Sir William Harcourt *April* 26, 1142
*Section* 34, Question, Baron Henry De Worms; Answer, Mr. Chamberlain *April* 20, 746

Fawcett, Right Hon. H. (Postmaster General), *Hackney*
Imperial Expenditure (Ireland), 1151
Post Office—Questions
House of Commons Lobby, 1265, 1266
Parcels Post, 300, 1721
Rural Post Offices, 305
Savings Banks Department, 1722;—Appointment of Controller, 315
Sixpenny Telegrams—Liability of Guarantors, 1151
Telegraph Department—Porterage of Telegrams, 75;—Telegraph Messengers, 610
Post Office (Contracts)—Questions
Irish Mail Service, 60, 893
Scotch Mail Service—Acceleration, 1271
Service to the North of Ireland—Acceleration, 903, 1708
Post Office (Ireland)—Questions
Belfast Letter Carriers and the Good Service Stripe, 1705
Glencar, Co. Leitrim, 1704
Telegraph Department—Carrigallen, 58;—Dublin Telegraph Clerks, 1158
Tinahely Postmastership, 79

Findlater, Mr. W., *Monaghan*
Prevention of Crime (Ireland) Act (1882) (Audience of Solicitors), Comm. 394
Railway Commission, Res. 1914

Firth, Mr. J. F. B., *Chelsea*
Metropolis—Commons and Open Spaces—Peckham Rye Common, 891, 892
Water Supply, 318
Metropolitan District Railway, 2R. 1040
Parliament—Business of the House, 1436
Parliamentary Oaths Act (1866) Amendment, 2R. 968

*Fisheries*
*Trawlers*, Questions, Lord Elcho, Mr. A. Grant; Answers, Mr. Chamberlain *April* 30, 1421

*Fisheries Exhibition, The International—The Proposed Fish Market*
Question, Observations, Viscount Bury; Reply, The Earl of Rosebery *May* 1, 1544

FITZGERALD, Lord
Bills of Sale (Ireland) Act (1879) Amendment, Comm. 417

FITZMAURICE, Lord E. G. P. (Under Secretary of State for Foreign Affairs), *Calne*
Africa (River Congo)—Action of Portugal, 609; 911, 912
  Reported Seizure of Territory by France, 905, 1059
Brazil—Chinese Coolies, 620
Chili and Peru—War—Convention for Settlement of Claims of British Subjects, 1570
Danubian Conference, 1415;—Admission of Roumania, 64
Egypt—Questions
  Ahmed Bey Khandeel, 1873, 1874, 1875
  Harbour of Alexandria, 1144
  Irrigation — Despatch of the Earl of Dufferin, 891
  Re-organization, 1572;—Mr. Sheldon Amos, 900, 1145
France and Annam—French Protectorate over Tonquin, 913, 1416
Gibraltar — The Maritime Jurisdiction — Papers, 297
Ireland — Crime — Assassinations in Phœnix Park, Dublin—Extradition of "No. 1," 435
  State-Aided Emigration, 1870
Islands of the South Pacific—New Hebrides—Alleged Seizure of Property by French Settlers, 898
Madagascar—Questions
  Claims of France on the North-West Coast, 1059
  Duties on Rum, 604
  Envoys, 306
Morocco—Sale of Slaves at Tangier, 418
Parliamentary Franchises—Foreign Countries, 317
Portugal—Angola, 630
Post Office—West Coast of Africa, 1142
Slave Trade—British Slave Owners, 1416
Spain—Homicide of Thomas Mitchell, a British Subject, at Malaga, 1058
Steamship "Leon XIII.," Res. 1075, 1077
Treaty of Berlin—Tribute of Bulgaria, 316
Turkey in Asia—Governor of the Lebanon, 1139
United States and Mexico, 1054

FLETCHER, Sir H., *Horsham*
Army—Questions
  Army and the Militia—Numbers, 311
  Campaign in the Transvaal—Recognition of Military Services, 619
  Chelsea and Kilmainham Hospitals—Report of the Committee, 305
  Undress Uniform of the Infantry, 304
Navy—Greenwich Hospital Pensions, 746

FOLKESTONE, Viscount, *Wilts, S.*
House of Commons—The Electric Light, 427
Local Taxation—Subvention of 1874—Subsequent Increase of the Cost of the Police 1270
Municipal Corporations (Unreformed), Comm. 1520, 1521
Parochial Boards (Scotland), 2R. 584
Police Force—Cost, 1719
Railway Commission, Res. 1908
Supply, 1924

*Foreign Affairs—The Triple Convention*
Question, Mr. Bourke; Answer, Mr. Gladstone *April* 26, 1159

**Forest of Dean (Highways) Bill**
(*Mr. Courtney, Mr. Herbert Gladstone*)
*c.* Ordered; read 1º* *April* 23 [Bill 148]
Question, Colonel Kingscote; Answer, Mr. Courtney *April* 27, 1272
Read 2º, and committed to a Select Committee of Nine Members; Five to be nominated by the House, and Four by the Committee of Selection *May* 1

FORSTER, Right Hon. W. E., *Bradford*
Limited Partnerships, 2R. 1690

FORTESCUE, Earl
Agricultural Labourers (Ireland), Res. 182
Education Department—New Code, 190
Emigration (Ireland), Res. 885
Metropolitan Improvements — Hyde Park Corner, 1263, 1264

FOWLER, Mr. H. H., *Wolverhampton*
Education Department—Carnarvon Training College, 1131
  Double Fees—Bridgnorth Union, 604
High Court of Justice—Arrears in Chancery and Appeal, 738
Law and Justice (England and Wales)—Business of the Assizes, 739
Local Taxation, Res. 464
Parliamentary Oaths Act (1866) Amendment, 2R. 1753, 1758, 1759

FOWLER, Mr. R. N., *London*
Africa (West Coast)—Recall of Commandant Wall, of Sherbro—Correspondence, 628
Customs and Inland Revenue, 2R. 995
Egypt—Religious Ceremonies at Cairo—The "Holy Carpet" — Attendance of British Troops, 295
House of Commons—The Electric Light, 427
Indian Public Works—The Loan, 195
Metropolitan District Railway, 2R. 1023
Parliamentary Oaths Act (1866) Amendment, 2R. 973, 1509, 1796
Parochial Charities (London), 2R. 1699
Prevention of Crime (Ireland) Act (1882) (Audience of Solicitors), Comm. *cl.* 2, 397

FOWLER, Mr. W., *Cambridge*
Africa (South)—Transvaal—Policy of H.M. Government, Res. Motion for Adjournment, 258
Limited Partnerships, 2R. 1691

*France and Annam (Tonquin)*
Question, Observations, Lord Harris; Reply, Earl Granville *April* 17, 411; Question, Mr. Onslow; Answer, Lord Edmond Fitzmaurice *April* 30, 1415
*French Protectorate over Tonquin*, Question, Sir Donald Currie; Answer, Lord Edmond Fitzmaurice *April* 23, 912

Freshfield, Mr. C. K., *Dover*
Limited Partnerships, 2R. 1693

**Friendly, &c. Societies (Nominations) Bill** (*Mr. Stuart-Wortley, Mr. Burt, Mr. Albert Grey, Mr. Northcote*)
*c.* Read 2°, after short debate *May* 1, 1665 [Bill 117]

Fry, Mr. T., *Darlington*
Local Option, Res. 1318

Gabbett, Mr. D. F., *Limerick*
Ireland—Inland Navigation and Drainage—Upper Shannon, 318

Galloway, Earl of
Medical Act Amendment, Comm. *cl.* 9, 592; Report, *cl.* 9, Amendt. 1123, 1124
Representative Peers (Scotland), Comm. 1830

**Gas and Water Provisional Orders (Bilston Gas, &c.) Bill** (*Mr. John Holms, Mr. Chamberlain*)
*c.* Ordered; read 1° * *May* 3 [Bill 165]

**Gas and Water Provisional Orders (No. 2) (Blandford District Water, &c.) Bill** (*Mr. John Holms, Mr. Chamberlain*)
*c.* Ordered; read 1° * *May* 3 [Bill 166]

**General Police and Improvement (Scotland) Provisional Order (Broughty Ferry Paving) Bill** (*The Lord Advocate, Secretary Sir William Harcourt*)
*c.* Read 2° * *April* 17 [Bill 1]
Report * *April* 27
Read 3° * *April* 30

*Gibraltar*
*Religious Dissensions—Dr. Canilla*, Questions, Sir H. Drummond Wolff; Answers, Mr. Evelyn Ashley *April* 16, 311
*The Maritime Jurisdiction — The Papers*, Question, Sir H. Drummond Wolff; Answer, Lord Edmond Fitzmaurice *April* 16, 297
[See title *Spain—Expulsion of certain Cuban Refugees*]

Gibson, Right Hon. E., *Dublin University*
Criminal Code (Indictable Offences Procedure), 2R. 108; Motion for Commitment, 341

Gibson, Right Hon. E.—*cont.*
East India—Code of Criminal Procedure (Native Jurisdiction over British Subjects), 1410
Ireland — Magistracy — Law Adviser, 1419, 1420
Royal Irish Constabulary—Report of the Commission, 1159
Parliament — Rules and Orders—Sittings of Grand Committees, Motion for Adjournment, 1700
Parliamentary Oaths Act (1866) Amendment, 2R. 1209
Patents for Inventions, Motion for Commitment, 590, 591

Giffard, Sir H. S., *Launceston*
Parliamentary Oath (Mr. Bradlaugh), 1855
Parliamentary Oaths Act (1866) Amendment, 2R. 975
Public Health—Sanitary Authority of the Isle of Wight, 899

Givan, Mr. J., *Monaghan*
Elective Councils (Ireland), 2R. 11

Gladstone, Right Hon. W. E. (First Lord of the Treasury), *Edinburghshire*
Afghanistan — Sir Lepel Griffin's "Liberal Policy in Afghanistan," 322, 326
Africa (South)—Transvaal Convention, 1162, 1163
Transvaal Government—Dr. Jorissen, 77, 78
Africa (South)—Transvaal—Policy of H.M. Government, Res. 203, 205, 217, 258
Anglican Bishopric of Jerusalem, 199, 200
Compensation for Agricultural Improvements, 629
Contagious Diseases Acts Committee — The Judge Advocate General, 1276
Criminal Code (Indictable Offences Procedure), Motion for Commitment, 343
Customs and Inland Revenue, Comm. *cl.* 7, 1512; Motion for reporting Progress, 1515
East India — Code of Criminal Procedure Amendment Bill, 81, 82, 1161, 1162
Foreign Affairs — Triple Convention, 1159, 1160
Ireland—Questions
Prevention of Crime Act, 1882—Clause 16—Secret Inquiries, 1430
Public Works, 1162
State-aided Emigration, 1573
Irish Land Commission—Fair Rents—Appeals, 1060
Valuers—Result of Appointment, 1161
Literature, Science, and Art—Purchase of the Ashburnham MSS.—The Irish MSS., 1160
Local Option, Res. 1364
Local Taxation, Res. 516, 518, 519, 522, 630, 1278
Lords Alcester and Wolseley, Annuities to, 629, 1575
Lords Alcester and Wolseley, Messages from the Queen, 201; Comm. 327, 328, 331
Lord Alcester's Annuity, 2R. 633, 642, 651
Lord Wolseley's Annuity, 2R. 690, 696, 699, 700, 710 [*cont.*

Gladstone, Right Hon. W. E.—*cont.*
Municipal Corporations (Unreformed), Comm. 1517
Parliament—Questions
Grand Committees—Report of Proceedings and Speeches, 85
Minister of Agriculture and Commerce, 76, 1165, 1166, 1877
Order of Business, 200
Parliamentary Elections (Corrupt and Illegal Practices), 326, 1575
Parliamentary Oath (Mr. Bradlaugh), 88, 320, 321, 322, 429, 431, 432, 1843, 1852
Parliamentary Oaths Act (1866) 428, 436, 915, 1063, 1576
Public Business, 88, 89
Whitsuntide Recess, 1438, 1575
Parliament—Business of the House—Questions
83, 84, 86, 88, 913, 914, 1062, 1166, 1167, 1279, 1437, 1438, 1578, 1725, 1880
Half-past Twelve o'Clock Rule, 749
Ministerial Statement, 1878, 1879
Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1579, 1584, 1585
Transvaal Debate, 323
Tuesdays and Fridays, 631, 632, 633
Parliament—Ascension Day, Motion for Meeting of Committees, 1671
Parliamentary Oaths Act (1866) Amendment, 2R. 924, 1174, 1177, 1181, 1198, 1217, 1222, 1508
Patents for Inventions, Motion for Commitment, 389
Spain—Expulsion of certain Cuban Refugees from Gibraltar—The Debate, 323
Supply, 1916, 1918, 1938
United States—Dynamite Conspiracies, 1061
Western Islands of the Pacific—Australian Colonies—Annexation of New Guinea by Queensland, 748, 1878

**Glebe Loans (Ireland) Acts Amendment Bill** (*Mr. Errington, Mr. Corry, Viscount Lymington*)
*c.* Read 2° * *April* 11 [Bill 136]
Committee *; Report *April* 12
Considered * *April* 13
Read 3° * *April* 18
*l.* Read 1ª * (*Lord O'Hagan*) *April* 19 (No. 35)

**Glebe Loans (Ireland) Acts Amendment (No. 2) Bill**
(*Mr. Trevelyan, Mr. Herbert Gladstone*)
*c.* Bill withdrawn * *April* 12 [Bill 138]

Gordon, General Hon. Sir A. H., *Aberdeenshire, E.*
Cemeteries, 2R. 1096, 1097
Parliament—Business of the House, 1061
Parochial Boards (Scotland), 2R. 573, 582

Gorst, Mr. J. E., *Chatham*
Africa (South)—Transvaal Convention, 1881, 1163
Cemeteries, 2R. 1110
Contagious Diseases Acts, Motion for Adjournment, 845

[*cont.*

Gorst, Mr. J. E.—*cont.*
Criminal Code (Indictable Offences Procedure), 2R. 123
Egypt—Ahmed Bey Khandeel, 1875
Inland Revenue—Income Tax on Agricultural Land (Ireland), 1717
Navy—Royal Marines—Pay of Men employed on Police Duty in Ireland, 1152
Parliament—Questions
Business of the House — Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1583
Inland Revenue Department—Grievances of Officers—Right of Petition, 1273
Public Business—Navy Estimates, 1279;—Tuesdays and Fridays, 632
Standing Committees—Attendance of Members, 1577
Parliament—Ascension Day, Motion for Meeting of Committees, 1673
Patents for Inventions, Motion for Commitment, 392

Goschen, Right Hon. G. J., *Ripon*
Africa (South)—Transvaal—Policy of H.M. Government, Res. 246
Local Taxation, Res. 504
Parliamentary Oaths Act (1866) Amendment, 2R. 1795

Gourley, Mr. E. T., *Sunderland*
Merchant Shipping—Load-line of Ships, 609

*Government Life Annuitants—Certificates—10 Geo. IV., c.* 24
Question, Mr. Marjoribanks; Answer, The Chancellor of the Exchequer *April* 23, 892

Grant, Mr. A., *Leith, &c.*
Fisheries—Trawlers, 1422

Grant, Mr. D., *Marylebone*
London and North Western Railway (Additional Powers), Consid. 1568
Lord Alcester's Annuity, 2R. 668
Parliamentary Oaths Act (1866) Amendment, 2R. 1763, 1764

Grantham, Mr. W., *Surrey, E.*
Criminal Code (Indictable Offences Procedure), Motion for Commitment, 348
Elementary Education Acts — The North Surrey District Schools, 61
Parliamentary Oaths Act (1866) Amendment, 2R. 1764

Granville, Earl (Secretary of State for Foreign Affairs)
Asia (Central)—Russian Advance, 720
France and Annam (Tonquin), 414
Lords Alcester and Wolseley—Messages from the Queen, Motion for an Address, 261
Medical Act Amendment, Comm. *cl.* 9, 591; Report, 1118, 1119
Parliament—Whitsun Recess, 1544

Gray, Mr. E. D., *Carlow Co.*
Constabulary and Police (Ireland) (Pay and Pensions), Leave, 1947

[*cont.*

GRAY, Mr. E. D.—*cont.*
Ireland—Magistracy—Law Adviser, 1421
Public Health—Typhus Fever in Dublin, 1871
Post Office (Contracts)—Irish Mail Service—The Papers, 80, 893
Supply, 1933

*Greenwich Hospital—The Pictures*
Question, General Burnaby; Answer, Sir Thomas Brassey *April* 24, 1052

GREGORY, Mr. G. B., *Sussex, E.*
Limited Partnerships, 2R. 1687
Local Option, Res. 1334, 1337
Metropolitan District Railway, 2R. 1024
Parliament—Ascension Day, Motion for Meeting of Committees, 1672
Patents for Inventions, 2R. 366
Public Funds—Transfer of Stock, 1716
Railway Commission, Res. 1896, 1897

GREVILLE, Lord
Agricultural Labourers (Ireland), Res. 183

GREY, Mr. A. H. G., *Northumberland, S.*
Local Taxation, Res. Amendt. 454, 525

GROSVENOR, Right Hon. Lord R. (Secretary to the Treasury), *Flintshire*
Parliament—Business of the House, 1280
Rules and Orders—Sittings of Grand Committees, Motion for Adjournment, 1701

**Ground Game Act (1880) Amendment Bill** (*Sir Alexander Gordon, Mr. Borlase*)
*c.* Bill withdrawn * *April* 25 [Bill 121]
Leave given to present another Bill, instead thereof

**Ground Game Act (1880) Amendment (No. 2) Bill**
(*Sir Alexander Gordon, Mr. Borlase*)
*c.* Read 1° * (*Sir Alexander Gordon*) *April* 25 [Bill 150]

HAMILTON, Right Hon. Lord G. F., *Middlesex*
Contagious Diseases Acts, Res. 855, 858
Parliament—Business of the House, 86
Minister of Agriculture and Commerce, 1877
Portugal—Angola, 630

HARCOURT, Right Hon. Sir W. G. V. V. (Secretary of State for the Home Department), *Derby*
Artizans' and Labourers' Dwellings Act, 1882, 295, 296
Cemeteries, 2R. 1086, 1105, 1106, 1108
Constabulary and Police (Ireland) [Pay and Pensions], Res. 1668, 1669
Ireland—Questions
Crime—Murder Conspiracy—The Alleged "No. 1," 621

[*cont.*

HARCOURT, Right Hon. Sir W. G. V. V.—*cont.*
Explosive Substances Act, 1875—Sec. 23—Storage of Gunpowder, 1143, 1144
Prevention of Crime Act, 1882—Sec. 16—Private Examination of Witnesses—Untried Prisoners, 313, 314
Law and Justice—Questions
Alleged Larceny by a "Tutor," 618
Appellate Jurisdiction of the House of Lords—Lay Peers, 68
Excessive Sentences, 436
Magistracy—Llangollen Magistrates, 59
Law and Police—Questions
Criminal Investigation Department, 58
Dynamite and Explosive Materials—Rewards to Officers, 296, 297
Special Preventive Police, 318
Local Option, Res. 1307, 1374
Metropolitan Carriage Acts—Cab Radius, 298
Mines Regulation—Employers' Liability Act, 613
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1592
Parliament—Contagious Diseases Acts, 1867
Prisons (England and Wales)—Convict Labour, 1706
Protection of Young Girls—Legislation, 904
Scotland—Glendale Crofters, 297

HARDINGE, Viscount
Army (Auxiliary Forces)—Musketry Regulations, 1839

HARRINGTON, Mr. T., *Westmeath*
Ireland—Questions
Contagious Diseases (Animals) — Westmeath, 1267, 1433
Law and Justice—Execution of Myles Joyce for Murder, 1136, 1137
Law and Police—Assault by a Landlord, 1712
Prevention of Crime Act, 1882—Arrests near Miltown Malbay, 1426, 1724
Prisons—James Kelly, Case of, 1146, 1418
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1597
Parliamentary Oaths Act (1866) Amendment, 2R. 1483, 1618
Supply, 1925, 1926, 1936

HARRIS, Lord
France and Annam (Tonquin), 411

HARTINGTON, Right Hon. Marquess of (Secretary of State for War), *Lancashire, N.E.*
Army—Questions
Army and the Militia, 310, 311;—Numbers—Deficiencies, 1712
Army Medical and Transport Services—Report of the Committee, 1271
Army Pensioners—Charles M'Fadden, Case of, 1864
Campaign in the Transvaal—Recognition of Military Services, 619
Chelsea and Kilmainham Hospitals—Report of the Committee, 305

**Hartington**, Right Hon. Marquess of—*cont.*
- Conditions of Acceptance of Recruits, 75
- Egyptian Expedition—Imprisonment of a Soldier, 72
- Heavy Rifled Guns—Mr. Lynall Thomas, 295
- India—Late Indian Artillery, 62
- Seconding of Officers Appointed to serve in the Egyptian Army, 74
- Undress Uniform of the Infantry, 304

Army (Auxiliary Forces)—Questions
- Aldershot, 744
- Antrim Artillery, 1705
- Medals for Volunteers, 746

Constabulary and Police (Ireland) (Pay and Pensions), Leave, 1941
Contagious Diseases Acts, Res. 830, 858
Criminal Code (Indictable Offences Procedure), 2R. 162
Customs and Inland Revenue, 2R. 994
Duchy of Cornwall—Lease of Land for Convict Prisons, 911
Egypt—Religious Ceremonies at Cairo—The "Holy Carpet"—Attendance of British Troops, 295
Lord Wolseley's Annuity, 2R. 703, 704, 711
Parliament—Business of the House, 858, 859, 1724
- Contagious Diseases Acts, 910, 1865, 1866, 1867

Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1585
Parliamentary Oaths Act (1866) Amendment, 2R. 1507, 1810, 1813, 1814
Supply, 1919

**Hay**, Admiral Right Hon. Sir J. C. D., *Wigtown, &c.*
Australian Colonies — Occupation of New Guinea by Queensland, 324
Mercantile Marine—Loss of Life at Sea, 1871
- Signalling at Sea, 65

Slave Trade—British Slave Owners, 1416

**Hayter**, Colonel Sir A. D. (Financial Secretary to the War Office), *Bath*
Army—Questions
- First Class Army Reserve Men, 425
- Pay Department, 1721
- Veterinary Department—Retired Pay, 315

Contagious Diseases Acts, 425
Egypt (Military Expedition)—Army Pay Department—Reward for Services, 69
- Purchase of Mules, 298, 299

**Henderson**, Mr. F., *Dundee*
Spain — Homicide of Thomas Mitchell, a British Subject, of Malaga, 1058

**Heneage**, Mr. E., *Great Grimsby*
Local Taxation, Res. 476
Parliament—Business of the House—Agricultural Holdings, 1578;—Standing Committees and Private Bill Committees, 434
- Order of Business, 200

Prevention of Crime (Ireland) Act (1882) (Audience of Solicitors), Comm. *cl.* 2, 397

**Herbert**, Hon. S., *Wilton*
Africa (South)—Transvaal—Policy of H.M. Government, Res. 244
Municipal Corporations (Unreformed), Comm. 1518; *cl.* 5, Amendt. 1525, 1527, 1528; *cl.* 8, 1530

**Herschell**, Sir F. (*see* **Solicitor General, The**)

**Hertford**, Marquess of
Contagious Diseases (Animals) Acts—Foot-and-Mouth Disease, Motion for Correspondence, 283

**Hibbert**, Mr. J. T. (Parliamentary Secretary to the Local Government Board), *Oldham*
Elementary Education Acts—North Surrey District Schools, 62
Locomotives on Highways Act — Traction Engines, 299
Magistracy—Penzance—Martin Nash, 1424
Public Health—Sanitary Authority of the Isle of Wight, 899

**Hicks**, Mr. E., *Cambridgeshire*
Cemeteries, 2R. 1109
Customs and Inland Revenue, Comm. 1387
Metropolitan District Railway, 2R. Amendt. 1011, 1022
Parliament—Business of the House, 1438
Parliamentary Oaths Act (1866) Amendment, 2R. 1223
Railway Commission, Res. 1907

**Hill**, Lord A. W., *Downshire*
Ireland—Questions
- National Education—Training of Teachers, 423
- Poor Law—Bantry — Election of Guardians, 420;—Belfast Workhouse—Appointment of a Chaplain, 613, 1146
- Royal Irish Constabulary — Officers — Surplus of Special Grant, 1569

**Hill**, Mr. A. S., *Staffordshire, W.*
Local Option, Res. 1352
Parliament—Ascension Day, Motion for Meeting of Committees, 1672
Parliament—Standing Committees — Attendance of Members, 1576

**Holland**, Sir H. T., *Midhurst*
Africa (South)—Transvaal—Policy of H.M. Government, Res. 206, 217, 241
Africa (West Coast)—Ashantee, 611
Distress Law Amendment, Comm. Motion for reporting Progress, 1666
Steamship "Leon XIII.," Res. 1072
Western Islands of the Pacific—New Guinea—Papers, &c. 1057

**Hollond**, Mr. J. R., *Brighton*
London and North Western Railways (Additional Powers), Consid. Amendt. 1545, 1554
Metropolis—Open Spaces—St. James's Burial Ground, Westminster, 1432

**Hope**, Right Hon. A. J. B. Beresford, *Cambridge University*
Cemeteries, 2R. Amendt. 1095
Criminal Code (Indictable Offences Procedure), Motion for Commitment, 343
London and North Western Railway (Additional Powers), Consid. 1568
Parliament—Public Business, 89
Rules and Orders—Sittings of Grand Committees, Motion for Adjournment, 1701
Parliamentary Oath (Mr. Bradlaugh), 1856
Parliamentary Oaths Act (1866) Amendment, 2R. 1598

**Hopwood**, Mr. C. H., *Stockport*
Parliament—Business of the House, 1437
Whitsuntide Recess, 1438
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1579, 1581

**Howard**, Mr. E. S., *Cumberland, E.*
Supply, 1933

**Howard**, Mr. J., *Bedfordshire*
Railway Commission, Res. 1898

**Hubbard**, Right Hon. J. G., *London*
Cemeteries, 2R. 1115
Customs and Inland Revenue, 2R. 1254; Comm. Amendt. 1380, 1388, 1389, 1465
Inland Revenue — Collection of the Income Tax, 303, 304
Metropolitan District Railway, 2R. 1044

**Huntly**, Marquess of
Fisheries (Scotland), 1837, 1839

**Illingworth**, Mr. A., *Bradford*
Cemeteries, 2R. 1107, 1113
Limited Partnerships, 2R. 1691
Lord Alcester's Annuity, 2R. 672
Parliament—Ascension Day, Motion for Meeting of Committees, 1672, 1673
Parliamentary Oaths Act (1866) Amendment, 2R. 983, 988
Parochial Charities (London), 2R. 1698, 1699
Patents for Inventions, 2R. 385

**Inderwick**, Mr. F. A., *Rye*
Criminal Code (Indictable Offences Procedure), 2R. 94
Municipal Corporations (Unreformed), Comm. *cl.* 12, 1533; Schedule 1, 1538
Parliamentary Oaths Act (1866) Amendment, 2R. 1207

**India** (*Questions*)
*East India—Code of Criminal Procedure Amendment Bill (Native Jurisdiction over British Subjects)*, Questions, Mr. O'Donnell, Mr. Macfarlane; Answers, Mr. Gladstone *April* 12, 81; Question, Mr. Onslow; Answer, Mr. Gladstone *April* 26, 1161; Question, Mr. Gibson; Answer, Mr. J. K. Cross *April* 30, 1410
*Riots at Salem, Madras*, Question, Mr. O'Donnell; Answer, Mr. J. K. Cross *April* 19, 625
*Vaccination*, Question, Mr. P. A. Taylor; Answer, Mr. J. K. Cross *April* 19, 611;—*Compulsory Vaccination (Madras)*, Question, Mr. P. A. Taylor; Answer, Mr. J. K. Cross *April* 26, 1158
*The Public Works Department (India)*
Question, Mr. Carbutt; Answer, Mr. J. K. Cross *April* 26, 1156
*The Proposed Loan*, Questions, Mr. R. N. Fowler, Mr. Dawson; Answers, Mr. J. K. Cross *April* 13, 195
*Consulting Engineers*, Question, Mr. Carbutt; Answer, Mr. J. K. Cross *April* 23, 894
*Salary of Officers engaged in the Afghan Campaign*, Question, Mr. Carbutt; Answer, Mr. J. K. Cross *April* 23, 897

**Ireland** (*Questions*)
*Arrests for Drunkenness—The Constabulary Reports*, Question, Mr. Callan; Answer, Mr. Trevelyan *April* 12, 79
*Arterial Drainage Acts*, Question, Mr. W. J. Corbet; Answer, Mr. Courtney *May* 3, 1702
*Cattle Disease*, Question, Mr. Duckham; Answer, Mr. Trevelyan *April* 26, 1155
*Contagious Diseases (Animals) Act—Westmeath*, Question, Mr. Harrington; Answer, Mr. Trevelyan *April* 27, 1267
*Executive Government of Ireland—The Office of Law Adviser*, Questions, Mr. P. Martin, Mr. T. P. O'Connor; Answers, Mr. Trevelyan *April* 12, 66; Questions, Mr. P. Martin; Answers, Mr. Trevelyan *April* 19, 608;—*The Under Secretary to the Lord Lieutenant*, Question, Mr. W. H. Smith; Answer, Mr. Trevelyan *April* 26, 1157; Question, Mr. O'Donnell; Answer, Mr. Trevelyan *April* 30, 1427
*Imperial Expenditure*, Questions, Mr. Arthur O'Connor; Answers, Mr. Courtney, Mr. Fawcett *April* 26, 1150
*Landlord and Tenant—Evictions on Lord Cloncurry's Estate at Murroe, Co. Limerick*, Question, Mr. O'Brien; Answer, Mr. Trevelyan *April* 26, 1147; Questions, Mr. Mayne, Mr. Parnell; Answers, Mr. Trevelyan *May* 3, 1706
*Medical Appointments*, Question, Mr. Sexton; Answer, Mr. Trevelyan *April* 19, 623
*Public Works*, Question, Colonel Nolan; Answer, Mr. Gladstone *April* 26, 1162
*State-aided Emigration*, Question, Mr. Arthur O'Connor; Answer, Mr. Trevelyan *April* 26, 1154; Questions, Colonel Colthurst, Colonel King-Harman; Answers, Mr. Trevelyan *April* 30, 1430; Questions, Mr. Arthur O'Connor, Mr. T. P. O'Connor, Mr. O'Brien; Answers, Mr. Gladstone, Mr. Trevelyan *May* 1, 1572; Questions, Mr. Sexton, Mr. O'Donnell, Mr. T. P. O'Connor, Mr. Mac Iver; Answers, Mr. Trevelyan, Lord Edmond Fitzmaurice *May* 4, 1867
*Timber Planting—Return of Trees Planted since* 1857, Question, Mr. Marum; Answer, Mr. Trevelyan *April* 27, 1273
*Towns Improvement Act—Extension of Borough Boundaries*, Question, Colonel Nolan; Answer, Mr. Trevelyan *April* 26, 1145
*Union Rating—Legislation*, Question, Mr. Marum; Answer, Mr. Trevelyan *May* 1, 1571

[cont.

IRELAND—*cont.*

*Board of Public Works*

*Drainage — Legislation*, Question, Mr. P. Martin; Answer, Mr. Courtney *April* 23, 905

*National Education*

*Assistant Teachers*, Question, Mr. O'Brien; Answer, Mr. Trevelyan *May* 3, 1710

*Training of Teachers*, Question, Lord Arthur Hill; Answer, Mr. Trevelyan *April* 17, 423

*Model Schools*, Questions, Mr. Biggar, Mr. Arthur O'Connor, Mr. T. P. O'Connor; Answers, Mr. Trevelyan *April* 16, 309

*Inland Navigation and Drainage*

*Drainage Loans—Payment of Instalments*, Question, Colonel O'Beirne; Answer, Mr. Courtney *April* 23, 896

*The Upper Shannon*, Questions, Mr. O'Shaughnessy, Mr. Gabbett; Answers, Mr. Courtney *April* 16, 318; Question, Colonel Nolan; Answer, Mr. Courtney *April* 26, 1150

*Criminal Law*

*John Casey*, Question, Mr. O'Brien; Answer, Mr. Trevelyan *April* 20, 741

*The New Judicature Rules*, Question, Mr. Sexton; Answer, Mr. Trevelyan *April* 23, 908

*Law and Justice*

*Belfast Assizes*, Question, Mr. O'Brien; Answer, Mr. Trevelyan; Question, Mr. Parnell; [no reply] *April* 30, 1431

*Green Street Court House, Dublin*, Questions, Mr. Mayne, Mr. O'Brien; Answers, Mr. Trevelyan *April* 12, 64;—*Arrangements for the Murder Trials*, Questions, Mr. O'Brien; Answers, Mr. Trevelyan *April* 19, 620

*Jury Panels*, Questions, Mr. O'Brien, Mr. O'Donnell; Answers, Mr. Trevelyan *April* 26, 1134

*Licensing Sessions, Dublin*, Question, Mr. Arthur O'Connor; Answer, Mr. Trevelyan *April* 30, 1435

*Mr. Barrow, County Court Judge of Monaghan*, Questions, Mr. Sexton; Answers, Mr. Trevelyan *April* 23, 905

*Trial of Joseph Brady for Murder*, Questions, Mr. O'Brien, Mr. Parnell, Mr. Dawson; Answers, Mr. Trevelyan *April* 13, 192

*Trial of Timothy Kelly for Murder—Protection for Witnesses*, Question, Mr. O'Brien; Answer, Mr. Trevelyan *April* 27, 1270

*Execution of Myles Joyce for Murder*, Question, Mr. Harrington; Answer, Mr. Trevelyan; Question, Mr. O'Brien; [no reply] *April* 26, 1136

*Trial of Fitzharris for Murder*, Question, Mr. Jesse Collings; [no reply] *May* 1, 1578

*Law and Police*

*Assault by a Landlord*, Question, Mr. Harrington; Answer, Mr. Trevelyan *May* 3, 1712

*Cost of Conveying Prisoners*, Question, Colonel Colthurst; Answer, Mr. Trevelyan *April* 19, 625

[*cont.*

IRELAND—*Law and Police*—*cont.*

*Mr. Gillooly—Imprisonment for Public Speech*, Question, Mr. T. D. Sullivan; Answer, Mr. Trevelyan *April* 19, 622

*Magistracy, The*

Question, Mr. M'Coan; Answer, Mr. Trevelyan *April* 13, 200

*Cases of Michael Sheehan and John Linane*, Question, Mr. Kenny; Answer, Mr. Trevelyan *April* 24, 1055

*Licensing (Ballymena Quarter Sessions)*, Question, Mr. Kenny; Answer, Mr. Trevelyan *April* 26, 1148

*Louth Petty Sessions—Captain Keogh*, Question, Mr. T. P. O'Connor; Answer, Mr. Trevelyan *April* 27, 1267

*Withdrawal of the Law Adviser*, Questions, Mr. Tottenham, Mr. Gibson, Colonel King-Harman, Mr. Macartney, Mr. Gray; Answers, Mr. Trevelyan *April* 30, 1419

*Prisons*

*Case of James Kelly*, Question, Mr. Harrington; Answer, Mr. Trevelyan *April* 26, 1146; Question, Mr. Harrington; Answer, Mr. Trevelyan; Question, Mr. Parnell; [No reply] *April* 30, 1418

*Spike Island*, Questions, Sir R. Assheton Cross, Mr. T. P. O'Connor; Answers, Mr. Trevelyan; Question, Mr. Arthur O'Connor; [No reply] *April* 30, 1413

*Post Office*

*Glencar, Co. Leitrim*, Question, Colonel O'Beirne; Answer, Mr. Fawcett *May* 3, 1704

*Telegraph Department — Carrigallen*, Question, Colonel O'Beirne; Answer, Mr. Fawcett *April* 12, 58;—*Dublin Telegraph Clerks*, Question, Mr. O'Donnell; Answer, Mr. Fawcett *April* 26, 1158

*The Belfast Letter Carriers and the Good Service Stripe*, Question, Mr. Biggar; Answer, Mr. Fawcett *May* 3, 1705

*The Tinahely Postmastership*, Question, Mr. M'Coan; Answer, Mr. Fawcett *April* 12, 78

*Lunatic Asylums*

*Post-mortem Examinations*, Question, Mr. Blake; Answer, Mr. Trevelyan *April* 16, 307;—*Criminal Lunatic Asylum, Dundrum*, Questions, Mr. W. J. Corbet; Answers, Mr. Trevelyan *April* 24, 1053; *April* 30, 1408; *May* 3, 1708

*Poor Law*

*Alleged Ill-treatment (Loughrea Workhouse)*, Question, Mr. O'Brien; Answer, Mr. Trevelyan *May* 3, 1714

*Belfast Board of Guardians—Alleged Defalcations of the Solicitor*, Question, Mr. Kenny; Answer, Mr. Trevelyan *April* 23, 909;—*Irregularity of the Master of the Workhouse*, Question, Mr. Biggar; Answer, Mr. Trevelyan *April* 26, 1139

*Belfast Workhouse*—Question, Mr. Biggar; Answer, Mr. Trevelyan *April* 16, 308;—*Appointment of a Chaplain*, Questions, Lord Arthur Hill; Answers, Mr. Trevelyan *April* 19, 613; *April* 26, 1146

*The Donegal Workhouse*, Question, Mr. O'Donnell; Answer, Mr. Trevelyan *April* 26, 1140

[*cont.*

IRELAND—*Poor Law*—cont.

*Industrial Training of Pauper Children in Mount Mellick Workhouse—Dr. Bourke's Inquiry*, Question, Mr. Arthur O'Connor; Answer, Mr. Trevelyan *April* 12, 74

*North Dublin Union*, Question, Mr. Justin M'Carthy; Answer, Mr. Trevelyan *April* 30, 1434

*Outdoor Relief — The Unions of Glenties and Dunfanaghy*, Questions, Mr. O'Brien, Colonel Colthurst; Answers, Mr. Trevelyan; Question, Mr. O'Brien; [No reply] *May* 4, 1862

*The Local Government Board — Power to dismiss Officials*, Question, Mr. R. Power; Answer, Mr. Trevelyan *May* 3, 1723

*The Workhouse Test*, Question, Colonel Colthurst; Answer, Mr. Trevelyan *April* 12, 59

*Election of Poor Law Guardians*

*Poor Law Elections*, Question, Mr. O'Brien; Answer, Mr. Trevelyan *April* 13, 194

*Ballymacwilbain*, Question, Mr. O'Brien; Answer, Mr. Trevelyan *April* 30, 1412

*Bantry*, Questions, Lord Elcho, Mr. Tottenham, Lord Arthur Hill, Colonel Colthurst, Mr. O'Brien, Mr. T. D. Sullivan, Mr. Sexton; Answers, Mr. Trevelyan *April* 17, 418

*Cong, Co. Mayo*, Question, Mr. Sexton; Answer, Mr. Trevelyan *April* 23, 903

*Cork Union*, Questions, Mr. O'Brien; Answers, Mr. Trevelyan *April* 12, 69; *April* 20, 743

*Co. Leitrim—Alleged Intimidation*, Question, Mr. Sexton; Answer, Mr. Trevelyan; Question, Mr. Tottenham; [No reply] *April* 23, 906

*Manorhamilton Union*, Question, Mr. Beresford; Answer, Mr. Trevelyan *May* 3, 1707

*Rathdrum Union*, Questions, Mr. W. J. Corbet, Mr. O'Brien; Answers, Mr. Trevelyan *April* 26, 1133

*Shillelagh Union, Co. Galway*, Question, Mr. W. J. Corbet; Answer, Mr. Trevelyan *May* 4, 1872

*Franchise for the Election of Guardians*, Question, Mr. O'Brien; Answer, Mr. Trevelyan *April* 20, 742

*Public Health*

*Public Health Act*, 1878—41 *&* 42 *Vict. c.* 52, *s.* 149—*Infectious Diseases—Case of Bartholomew Roe*, Questions, Mr. W. J. Corbet, Mr. Gray; Answers, Mr. Trevelyan *May* 4, 1871

*Typhus Fever in Dublin*, Question, Mr. W. J. Corbet; Answer, Mr. Trevelyan *April* 24, 1052

*Royal Irish Constabulary*

Question, Mr. O'Shea; Answer, Mr. Trevelyan *April* 24, 1054

*Report of the Committee of Inquiry*, Question, Observations, The Earl of Milltown; Reply, Lord Carlingford; Observations, Earl Cowper *April* 17, 414; Question, Dr. Lyons; Answer, Mr. Trevelyan, 433; Question, Mr. Gibson; Answer, Mr. Trevelyan *April* 26, 1159

[*cont.*

IRELAND—*Royal Irish Constabulary*—cont.

*The Officers—Surplus of Special Grant*, Question, Lord Arthur Hill; Answer, Mr. Trevelyan *May* 1, 1569

*The Police Force (Armagh)*, Question, Mr. Sexton; Answer, Mr. Trevelyan *April* 24, 1056

*Crime*

*Co. Wicklow*, Question, Mr. W. J. Corbet; Answer, Mr. Trevelyan *April* 26, 1138

*Miltown Malbay*, Questions, Mr. Kenny, Mr. O'Kelly; Answers, Mr. Trevelyan; Question, Mr. Harrington; [No reply] *May* 3, 1723

*Murder of John Flanagan*, Question, Mr. W. J. Corbet; Answer, Mr. Trevelyan *April* 26, 1132

*The Assassinations in the Phœnix Park, Dublin —Extradition of "No. 1,"* Question, Sir Herbert Maxwell; Answer, Lord Edmond Fitzmaurice *April* 17, 435; Question, Sir Herbert Maxwell; Answer, Sir William Harcourt *April* 19, 621

*Evictions — Co. Roscommon*, Question, Mr. O'Kelly; Answer, Mr. Trevelyan *April* 20, 736

*State of*

*Distress in Donegal*, Questions, Mr. O'Brien, Mr. Sexton; Answers, Mr. Trevelyan *April* 17, 423

*Distress in the West and North-West*, Question, Colonel Colthurst; Answer, Mr. Trevelyan; Question, Mr. O'Brien; [No reply] *April* 30, 1407

*Extra Police, Co. Clare*, Question, Mr. O'Brien; Answer, Mr. Trevelyan *April* 19, 615

See titles *Arrears of Rent (Ireland) Act*, 1882
*Land Law (Ireland) Act*, 1881
*Land Law (Ireland) Act*, 1881—*Irish Land Commission*
*Peace Preservation (Ireland) Act*, 1881
*Prevention of Crime (Ireland) Act*, 1882

*Ireland—Agricultural Labourers*

Moved to resolve, "That in the opinion of this House it is desirable to legislate on behalf of agricultural labourers in Ireland as soon as the condition of the country permits such legislation" (*The Earl of Dunraven*) *April* 13, 167; after debate, Motion withdrawn

*Ireland—Emigration*

Moved to resolve, "That this House, while desiring to impress upon the Government the necessity of securing sufficient relief for the suffering population in certain parts of Ireland, is of opinion that a large scheme of emigration is desirable to prevent the recurrence of similar distress" (*The Earl of Dunraven*) *April* 23, 859; after debate, Motion withdrawn

*Ireland—National Education*

Moved for, "Copy of Rule 1. of the Rules and Regulations of the Commissioners of National Education in Ireland" (*The Earl of Longford*) *April* 24, 1003; after short debate, Motion agreed to

**Isle of Man (Harbours) Bill**
(*Mr. John Holms, Mr. Chamberlain*)
*c.* Committee; Report *April* 23, 996 [Bill 101]
Considered*; read 3° *April* 26
*l.* Read 1ª * (*Lord Sudeley*) *April* 27 (No. 50)
Read 2ª * *May* 1
Committee; Report, after short debate *May* 4, 1841

JACKSON, Mr. W. L., *Leeds*
Patents for Inventions, 2R. 368

JAMES, Sir H. (*see* ATTORNEY GENERAL, The)

JAMES, Mr. W. H., *Gateshead*
Inland Revenue—Collection of Income Tax, 622
London and North Western Railway (Additional Powers), Consid. 1565, 1567
Metropolitan District Railway, 2R. 1024

JERNINGHAM, Mr. H. E. H., *Berwick-on-Tweed*
Steamship "Leon XIII.," Res. 1074

KENNARD, Mr. C. J., *Salisbury*
Post Office—Savings Bank Department, 1722
Appointment of Controller, 315

KENNAWAY, Sir J. H., *Devon, E.*
Local Option, Res. 1315; Amendt. 1373

KENNY, Mr. M. J., *Ennis*
Army Pensioners—Charles M'Fadden, Case of, 1864
Criminal Code (Indictable Offences Procedure), 2R. Motion for Adjournment, 156
Ireland—Questions
  Magistracy—Cases of Michael Sheehan and John Linane, 1055; — Licensing (Ballymena Quarter Sessions), 1148
  Poor Law—Belfast Board of Guardians—Alleged Defalcations of the Solicitor, 909
  Prevention of Crime Act, 1882—Arrests at Miltown Malbay, 1268, 1425, 1426, 1427, 1723, 1724
Poor Relief (Ireland), Motion for Leave, 1257

KIMBERLEY, Earl of (Secretary of State for India)
Egypt (Expeditionary Force)—Field Allowances, 1837
Ireland—Arrears of Rent Act, 1882—Applications for Loans, 733
Land Law (Ireland)—Landlords under the Irish Land Act, Motion for an Address, 1405

KING-HARMAN, Colonel E. R., *Dublin County*
Cemeteries, 2R. 1093, 1110
Elective Councils (Ireland), 2R. Amendt. 8
Ireland—Questions
  Assisted Emigration, 1431

[*cont.*

KING-HARMAN, Colonel E. R.—*cont.*
  Explosive Substances Act, 1875—Sec. 23—Storage of Gunpowder, 1142, 1143, 1144
  Irish Mail Service—Registration of Voters Bill, 2
  Magistracy—Law Adviser, 1419, 1420

KINGSCOTE, Colonel R. N. F., *Gloucestershire, W.*
Highways—Forest of Dean, 1272
Supply 1926

KINNEAR, Dr. J., *Donegal*
Ireland—Arrears of Rent Act—Emigration Grant, 1435

LABOUCHERE, Mr. H., *Northampton*
Law and Justice—Appellate Jurisdiction of the House of Lords—Lay Peers, 67
Lords Alcester and Wolseley, Messages from the Queen, 201; Comm. 328
Lord Alcester's Annuity, 2R. Amendt. 639, 666
Parliament—Questions
  Business of the House, 61, 82, 89
  Half-past Twelve o'Clock Rule, 749
  Parliamentary Oaths Act (1866) Amendment—Petitions, 1576
Parliamentary Oath (Mr. Bradlaugh), 1844; Previous Question moved, 1851
Parliamentary Oaths Act (1866) Amendment, 2R. 1455, 1477

**Land Drainage Provisional Order Bill**
(*Lord Rosebery*)
*l.* Read 2ª * *April* 19 (No. 26)
Committee*; Report *April* 20
Read 3ª * *April* 23
Royal Assent *April* 26 [46 *Vict.* c. ii.]

**Lands Clauses (Umpire) Bill**
(*Mr. Dodds, Mr. Whitley, Mr. Jacob Bright, Mr. Coddington*)
*c.* Ordered; read 1° * *May* 1 [Bill 160]

*Land Law (Ireland) Act—Landlords under the Irish Land Act*
Moved, "That an humble Address be presented to Her Majesty praying Her Majesty to appoint a Royal Commission to inquire whether the Irish landlords have sustained any loss owing to the working of the Irish Land Bill of 1881; and, if so, the amount of such loss; and to report whether according to legal precedent and justice they are not entitled to compensation for such loss" (*The Lord Oranmore and Browne*) *April* 27, 1390; after debate, on Question? resolved in the negative

*Land Law (Ireland)—The Select Committee*
Moved, "That Romney Foley, Esquire, Q.C., Sub-commissioner of the Irish Land Commission, do attend the service of the House on Friday, the 4th of May next, at Twelve o'clock, in order to his being examined as a witness before the Select Committee on

[*cont.*

*Land Law (Ireland)—The Select Committee*—cont.

Land Law (Ireland)" (*The Earl Cairns*) *April* 26, 1117; after short debate, on Question? agreed to

*Land Law (Ireland) Act*, 1881 (*Questions*)

*Clause* 19—*Labourers' Cottages and Allotments*, Questions, Mr. Villiers Stuart; Answers, Mr. Trevelyan *April* 26, 1147; *April* 30, 1416

*Clause* 24—*Loans to Irish Tenants*, Question, Mr. Errington; Answer, Mr. Courtney *April* 26, 1156

*Evictions on Lord Cloncurry's Estate at Murroe, Co. Limerick*, Question, Mr. O'Brien; Answer, Mr. Trevelyan *April* 26, 1147; Questions, Mr. Mayne, Mr. Parnell; Answers, Mr. Trevelyan *May* 3, 1706

*Land Law (Ireland) Act*, 1881—*The Irish Land Commission* (*Questions*)

*Appeals from the King's County*, Question, Mr. Molloy; Answer, Mr. Trevelyan *April* 16, 316

*Fair Rents—Appeals*, Questions, Mr. Sexton, Mr. Brodrick; Answers, Mr. Gladstone *April* 24, 1059

*Judicial Rents, Donegal*, Question, Mr. T. P. O'Connor; Answer, Mr. Trevelyan *April* 27, 1274

*Payments under the Arrears Act*, Question, Mr. O'Connor Power; Answer, Mr. Trevelyan *April* 17, 422

*Sitting at Dungarvan*, Question, Mr. O'Donnell; Answer, Mr. Trevelyan *April* 26, 1141

*The King's County*, Question, Mr. Molloy; Answer, Mr. Trevelyan *April* 26, 1157

*Valuers—Result of Appointment*, Question, Mr. Brodrick; Answer, Mr. Gladstone *April* 26, 1160

*Court Valuers*, Question, Mr. Sexton; Answer, Mr. Trevelyan *May* 4, 1876

*Sub-Commissioners*

Question, Observations, The Earl of Longford; Reply, Lord Carlingford; Observations, Earl Cairns *May* 1, 1540

*Colonel Bayley*, Question, Captain Aylmer; Answer, Mr. Trevelyan *April* 19, 607

*Lieutenant-Colonel Davys*, Questions, Mr. Biggar; Answers, Mr. Trevelyan *April* 16, 308; *April* 23, 898

*Mr. M'Devitt*, Question, Mr. Tottenham; Answer, Mr. Trevelyan *May* 3, 1704

*Sitting at Limerick—Listed Cases*, Question, Mr. O'Brien; Answer, Mr. Trevelyan *April* 23, 901

*Sittings at Nenagh*, Question, Mr. Sexton; Answer, Mr. Trevelyan *April* 26, 1149

*The Granard Union*, Question, Mr. Justin M'Carthy; Answer, Mr. Trevelyan *April* 27, 1269

LANSDOWNE, Marquess of
Emigration (Ireland), Res. 873
Ireland—Arrears of Rent Act, 1882—Application for Loans, 733

*Law and Justice (England and Wales)* (*Questions*)

*Alleged Larceny by a "Tutor,"* Question, Mr. M'Coan; Answer, Sir William Harcourt *April* 19, 618

*Appellate Jurisdiction of the House of Lords—Lay Peers*, Question, Mr. Labouchere; Answer, Sir William Harcourt *April* 12, 67

*Business of the Assizes*, Question, Mr. H. H. Fowler; Answer, The Attorney General *April* 20, 739

*Criminal Procedure—Evidence of Accused Persons*, Question, Mr. Warton; Answer, The Attorney General *April* 19, 628

*Excessive Sentences*, Question, Mr. P. A. Taylor; Answer, Sir William Harcourt *April* 17, 436

*High Court of Justice—Arrears in Chancery and Appeal*, Question, Mr. H. H. Fowler; Answer, The Attorney General *April* 20, 738

*The Queen's Bench Division of the High Court of Justice—Delay in Procedure*, Question, Mr. Pugh; Answer, The Attorney General *April* 23, 910

*Magistracy (England and Wales), The Penzance—Martin Nash*, Question, Mr. Biggar; Answer, Mr. Hibbert *April* 30, 1424

*Newspaper Proprietors*, Question, Mr. Passmore Edwards; Answer, The Attorney General *April* 26, 1153

*The Llangollen Magistrates*, Question, Mr. P. A. Taylor; Answer, Sir William Harcourt *April* 12, 59

*Law and Police*

*Dynamite and Explosive Materials—Rewards to Officers*, Questions, Mr. Salt, Mr. Joseph Cowen; Answers, Sir William Harcourt *April* 16, 296

*Special Preventive Police*, Question, Mr. Stanley Leighton; Answer, Sir William Harcourt *April* 16, 318

*The Criminal Investigation Department*, Question, Mr. M'Laren; Answer, Sir William Harcourt *April* 12, 58

LAWRENCE, Sir J. J. T., *Surrey, Mid*
Army (India)—Late Indian Artillery, 62

LAWSON, Sir W., *Carlisle*
Channel Tunnel—Joint Committee, Res. 399, 400
Criminal Code (Indictable Offences Procedure), Motion for Commitment, 346
Egypt—Ahmed Bey Khandeel, 1872
Re-organization, 1572
Local Option, Res. 1280, 1288, 1359
Lord Alcester's Annuity, 2R. 680
Parliament—Business of the House, 859, 1880
Parliament—Grand Committees and Private Bill Committees—Railway Bills (Group 6), Report, 294

LEAMY, Mr. E., *Waterford*
Criminal Code (Indictable Offences Procedure), 2R. 154, 163, 164; Motion for Commitment, 336
Supply, 1919

LEATHAM, Mr. E. A., *Huddersfield*
Africa (South)—Transvaal—Policy of H.M. Government, Res. 224, 228
Parliamentary Oaths Act (1866) Amendment, 2R. 1469, 1480

LEE, Mr. H., *Southampton*
Steamship "Leon XIII.," Res. 1071

LEFEVRE, Right Hon. G. J. Shaw (Chief Commissioner of Works), *Reading*
London and North Western Railway (Additional Powers), Consid. 1557, 1558
Metropolitan District Railway, 2R. 1034, 1037
Metropolitan Improvements—Wellington Statue, 1424
Parks (Metropolis)—Mounds in the Green Park, 191, 192
Parliament—Palace of Westminster—House of Commons—The Electric Light, 426, 427
Statues in Westminster Hall, 611
Parochial Charities (London), 2R. 1698
Post Office—Buildings—Exeter Post Office, 79

**Legitimacy Declaration Act, 1858, Amendment Bill** [H.L.]
(*The Earl of Onslow*)
*l.* Presented; read 1a* *April* 20 (No. 38)

LEIGHTON, Sir B., *Shropshire, S.*
Local Taxation, Res. 467, 493, 519
Railway Commission, Res. 1911

LEIGHTON, Mr. S., *Shropshire, N.*
Cemeteries, 2R. 1096, 1097
Criminal Code (Indictable Offences Procedure), 2R. 90; Amendt. 97
Law and Police—Special Preventive Police, 318
Parliamentary Oaths Act (1866) Amendment, 2R. 1196, 1813

LENNOX, Right Hon. Lord H. G. C. G., *Chichester*
Local Taxation, Res. 525
Lord Alcester's Annuity, 2R. 657
Parliament—Public Business—Tuesdays and Fridays, 631

LEWIS, Mr. C. E., *Londonderry*
Constabulary and Police (Ireland) [Pay and Pensions], Res. 1827
Lords Alcester and Wolseley, Messages from the Queen, Comm. 329
Lord Alcester's Annuity, 2R. 659
Lord Wolseley's Annuity, 2R. 696, 699, 700, 704
Parliament—Business of the House, 1438
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1583
Post Office (Contracts)—Irish Mail Service, 893
Mails to the North of Ireland, 1708

LEWISHAM, Viscount, *Kent, W.*
Parliamentary Oaths Act (1866) Amendment, 2R. 1206

LIMERICK, Earl of
Army (Auxiliary Forces)—Militia Clothing, 187
Musketry Regulations, 1840
Bills of Sale (Ireland) Act (1879) Amendment, Comm. 416
Explosive Substances Act, 1875—Sec. 23—Storage of Gunpowder (Ireland), 1007

**Limited Partnerships Bill**
(*Mr. Monk, Mr. Norwood, Mr. Lewis Fry*)
*c.* Moved, "That the Bill be now read 2°" *May* 2, 1674
Amendt. to leave out "now," add "upon this day six months" (*Mr. Rylands*); Question proposed "That 'now,' &c.;" after short debate, Question put; A. 49, N. 159; M. 110 (D. L. 80)
Words added; main Question, as amended, put, and agreed to; 2R. put off [Bill 18]

*Literature, Science, and Art—Purchase of the Ashburnham MSS.—The Irish MSS.*
Question, Mr. O'Donnell; Answer, Mr. Gladstone *April* 26, 1160

LLOYD, Mr. M., *Beaumaris*
Cemeteries, 2R. 1111
Criminal Code (Indictable Offences Procedure), 2R. Amendt. 93

**Local Government Areas Bill**
(*Mr. Albert Grey, Mr. Pell, Mr. James Howard, Mr. Yorke*)
*c.* Ordered; read 1°* *April* 25 [Bill 151]

**Local Government (Ireland) Provisional Orders (Rathmines, &c.) Bill**
(*Mr. Trevelyan, Mr. Herbert Gladstone*)
*c.* Ordered; read 1°* *April* 26 [Bill 153]

**Local Government Provisional Orders Bill** (*Mr. Hibbert, Sir Charles Dilke*)
*c.* Ordered; read 1°* *April* 13 [Bill 142]
Read 2°* *April* 24
Report* *May* 2
Read 3°* *May* 3
*l.* Read 1a* (*Lord Carrington*) *May* 4 (No. 54)

**Local Government Provisional Orders (No. 2) Bill**
(*Mr. Hibbert, Sir Charles Dilke*)
*c.* Ordered; read 1°* *April* 13 [Bill 143]
Read 2°* *May* 1

**Local Government Provisional Orders (No. 3) (Bethesda, &c.) Bill**
(*Mr. Hibbert, Sir Charles Dilke*)
*c.* Ordered; read 1°* *May* 4 [Bill 170]

**Local Government Provisional Orders (Poor Law) Bill**
(*Mr. Hibbert, Sir Charles W. Dilke*)
*c.* Ordered; read 1° * *April* 25 [Bill 149]
Read 2° * *May* 2

**Local Government (Gas) Provisional Order (Festiniog) Bill**
(*Mr. Hibbert, Sir Charles Dilke*)
*c.* Ordered * *May* 1
Read 1° * *May* 2 [Bill 164]

*Local Option*
Amendt. on Committee of Supply *April* 27, To leave out from "That," add "the best interests of the Nation urgently require some efficient measure of legislation by which, in accordance with the Resolution already passed and re-affirmed by this House, a legal power of restraining the issue or renewal of Licences for the Sale of Intoxicating Liquors may be placed in the hands of the persons most deeply interested and affected, namely, the inhabitants themselves" (*Sir Wilfrid Lawson*) *v.*, 1280; Question proposed, "That the words, &c.;" after long debate, Question put; A. 141, N. 228; M. 87 (D. L. 73)
Question proposed, "That the words 'the best interests of the Nation urgently require some efficient measure of legislation by which, in accordance with the Resolution already passed and re-affirmed by this House, a legal power of restraining the issue or renewal of Licences for the Sale of Intoxicating Liquors may be placed in the hands of the persons most deeply interested and affected, namely, the inhabitants themselves' be there added
Amendt. to the said proposed Amendt. To leave out from "Nation," add "require that effect be given to the recommendation of the Lords Commttttee on Intemperance, and that instead of placing the licensing power entirely in the hands of a body elected by the popular vote, provision be made for strengthening the hands of the local magistrates" (*Sir John Kennaway*) *v.*; Question proposed, "That the words, &c.;" after short debate, Question put; A. 206, N. 130; M. 76
Main Question, as amended, put, and agreed to
Div. List, A. and N., 1377

*Local Taxation*
Moved, "That no further delay should be allowed in granting adequate relief to ratepayers in Counties and Boroughs in respect of National services required of Local Authorities" (*Mr. Pell*) *April* 17, 437
Amendt. to leave out from "That," add "this House, recognising the connection which must exist between the Reform of Local Taxation and that of Local Government, is of opinion that the relief granted to ratepayers in Counties and Boroughs should be by the transfer to Local Authorities of the Revenue proceeding from particular Taxes or portions of Taxes, and that a measure dealing with the whole question of local taxation and of local government is most urgently required" (*Mr. Albert Grey*) *v.*; Question proposed, "That the words, &c.;" after long debate, Question put; A. 217, N. 229; M. 12
Words added; main Question, as amended, put, and agreed to
Div. List, A. and N., 525

*Local Taxation*
Question, Mr. Brodrick; Answer, Mr. Gladstone *April* 19, 630
*Legislation*, Questions, Mr. J. R. Yorke, Mr. Brodrick; Answers, Mr. Gladstone *April* 27, 1277
*The Subvention of* 1874—*Increase of the Cost of the Police*, Question, Viscount Folkestone; Answer, Sir Charles W. Dilke *April* 27, 1270

*Locomotives on Highways Act—Traction Engines—Further Legislation*
Question, Mr. Stuart-Wortley; Answer, Mr. Hibbert *April* 16, 299

*London and North Western Railway (Additional Powers) Bill (by Order)*
*c.* Moved, "That the Bill, as amended, be now considered" *May* 1, 1545
Amendt. to leave out "now considered," add "re-committed to the former Committee" (*Mr. J. Hollond*) *v.*; Question proposed, "That the words, &c.;" after debate, Question put; A. 178, N. 167; M. 11 (D. L. 77)
Main Question put, and agreed to; Bill considered

**Long, Mr. W. H.**, *Wilts, N.*
Local Option, Res. 1340, 1343
Municipal Corporations (Unreformed), Comm. *add. cl.* 1535

**Longford, Earl of**
Army (Annual), 3R. 293
Land Law (Ireland) — Sub-Commissioners, 1540
Land Law (Ireland)—Landlords under the Irish Land Act, Motion for an Address, 1394
National Education (Ireland), Motion for a Paper, 1008

**Lopes, Sir M.**, *Devonshire, S.*
Local Taxation, Res. 478, 486, 490
Parliament — Minister of Agriculture and Commerce, 76
Parliamentary Oaths Act (1866) Amendment, 2R. 1771

**Lord Alcester's Annuity Bill**
(*Sir Arthur Otway, Mr. Chancellor of the Exchequer, Mr. Gladstone*)
*c.* Message from Her Majesty [13th April]; Resolution reported, and agreed to; Bill ordered; read 1° * *April* 17 [Bill 145]
Question, Mr. Arthur Arnold; Answer, Mr. Gladstone *April* 19, 629; Question, Mr. Stewart Macliver; Answer, Mr. Gladstone *May* 1, 1574

[cont.

*Lord Alcester's Annuity Bill*—cont.
Moved, "That the Bill be now read 2°" *April* 19, 633
Amendt. to leave out from "That," add "in the opinion of this House, the services of Lord Alcester during our Naval operations in Egypt were not of such a character as to satisfy this House as to the desirability of assenting to the proposal submitted to it in this Bill" (*Mr. Labouchere*) *v.*; Question proposed, "That the words, &c.:" after long debate, Question put; A. 209, N. 77; M. 132 (D. L. 65)
Main Question, "That the Bill be now read 2°," again proposed, 686; after short debate, main Question put; A. 217, N. 85; M. 132 (D. L. 66); Bill read 2°
[See title *Baron Alcester*]

**Lord Wolseley's Annuity Bill**
(*Sir Arthur Otway, Mr. Chancellor of the Exchequer, Mr. Gladstone*)
*c.* Message from Her Majesty [13th April]; Resolution reported, and agreed to; Bill ordered; read 1° * *April* 17 [Bill 146]
Question, Mr. Arthur Arnold; Answer, Mr. Gladstone *April* 19, 629; Question, Mr. Stewart Macliver; Answer, Mr. Gladstone *May* 1, 1574
Moved, "That the Bill be now read 2°" *April* 19, 690
Amendt. to leave out from "That," add "in the opinion of this House, the services of Lord Wolseley during our Military operations in Egypt were not of such a character as to satisfy this House as to the desirability of assenting to the proposal submitted to it in this Bill" (*Mr. Broadhurst*) *v.*; Question proposed, "That the words, &c.;" after debate, Question put; A. 178, N. 55; M. 123 (D. L. 67)
Main Question put, and agreed to; Bill read 2°
Question, Colonel Alexander; Answer, Mr. Speaker *April* 20, 748
[See title *Baron Wolseley*]

LOWTHER, Right Hon. J., *Lincolnshire, N.*
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1585
Supply, 1919, 1927

LOWTHER, Hon. W., *Westmoreland*
London and North Western Railway (Additional Powers), Consid. 1566, 1567

LUBBOCK, Sir J., *London University*
British Guiana—Action of the Quarantine Board, 1863
Customs and Inland Revenue, 2R. 1242
Patents for Inventions, 2R. 375

*Lunacy Law Amendment Act,* 1862—*Excessive Legal Charges upon a Discharged Lunatic*
Question, Dr. Cameron; Answer, The Lord Advocate *April* 20, 735

LYMINGTON, Viscount, *Barnstaple*
Parliamentary Oaths Act (1866) Amendment, 2R. 1616

LYONS, Dr. R. D., *Dublin*
Ireland—Royal Irish Constabulary, Report, &c. 433
Parliamentary Oaths Act (1866) Amendment, 2R. 1605, 1610
Poor Relief (Ireland), Motion for Leave, 1261
Post Office (Contracts)—Irish Mail Service, 325

MCARTHUR, Mr. A., *Leicester*
Africa (South)—Bechuanaland—Report of Captain Harrel, 60

MACARTNEY, Mr. J. W. E., *Tyrone*
Cemeteries, 2R. 1111
Customs and Inland Revenue, Comm. *cl.* 7, 1512, 1514
Elective Councils (Ireland), 2R. 13
Ireland—Magistracy—Law Adviser, 1420
Islands of the South Pacific—New Hebrides—Alleged Seizure of Property by French Settlers, 898
Municipal Corporations (Unreformed), Comm. 1519, 1522
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1595
Parliamentary Oaths Act (1866) Amendment, 2R. 1510

M'CARTHY, Mr. Justin, *Longford*
Army (Egyptian Expedition)—Imprisonment of a Soldier, 72
Criminal Code (Indictable Offences Procedure), 2R. 150, 157; Motion for Commitment, 334, 335
Ireland—Questions
 Irish Land Commission—Sub-Commissioners—The Granard Union, 1269
 Peace Preservation Act, 1881—Extra Police Tax, King's Co., 1435
 Poor Law—North Dublin Union, 1434
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1594
Supply, 1939

M'COAN, Mr. J. C., *Wicklow*
Criminal Code (Indictable Offences Procedure), 2R. 120, 121
Ireland—Questions
 Law and Justice—Alleged Larceny by a "Tutor," 618
 Magistracy, 200
 Post Office—Tinahely Postmastership, 78
Parliamentary Oaths Act (1866) Amendment, 2R. 1476, 1477, 1478, 1726

MACFARLANE, Mr. D. H., *Carlow Co.*
Army—Heavy Rifled Guns—Mr. Lynall Thomas, 295
Customs and Inland Revenue, 914
East India—Code of Criminal Procedure Amendment Bill, 82
Metropolitan Carriage Acts—The Cab Radius, 298

[cont.

MACFARLANE, Mr. D. H.—*cont.*
Parliamentary Oaths Act (1866) Amendment, 2R. 1509
Post Office—Rural Post Offices, 305
Scotland—Glendale Crofters, 297

MCGAREL-HOGG, Sir J. M., *Truro*
Metropolis—Commons and Open Spaces—Peckham Rye Common, 891, 892
Metropolitan District Railway—Ventilators on the Victoria Embankment, 614
Metropolitan District Railway, 2R. 1020, 1022

MAC IVER, Mr. D., *Birkenhead*
Ireland—State-aided Emigration, 1870

MCKENNA, Sir J. N., *Youghal*
Cemeteries, 2R. 1112
Criminal Code (Indictable Offences Procedure), Motion for Commitment, 334
Customs and Inland Revenue, Comm. *cl.* 7, 1513
Inland Revenue—Income Tax (Schedule B), 1135
Local Taxation, Res. 524
Municipal Corporations (Unreformed), Comm. 1522
Parliamentary Oaths Act (1866) Amendment, 2R. 1782

MACKINTOSH, Mr. C. FRASER-, *Inverness, &c.*
Mercantile Marine—Classification of Merchant Vessels, 300
Navy—Naval Stores—Engines and Boilers supplied by Private Firms—Guarantee, 302
Scotland—Keeper of the Register of Sasines, 301

MCLAGAN, Mr. P., *Linlithgowshire*
Parliament—Business of the House, 60
Parochial Boards (Scotland), 2R. 568, 569, 570

MCLAREN, Mr. C. B. B., *Stafford*
Law and Police—Criminal Investigation Department, 58

MACLIVER, Mr. P. S., *Plymouth*
Lords Alcester's and Wolseley's Annuities Bills, 1574
Navy—Naval Artificers, 1155

*Madagascar*
*The Envoys,* Questions, Mr. Cropper, Sir Harry Verney; Answers, Lord Edmond Fitzmaurice *April* 16, 306
*Duties on Rum,* Question, Mr. Buxton; Answer, Lord Edmond Fitzmaurice *April* 19, 603
*Claims of France on the North-west Coast,* Question, Mr. Ashmead-Bartlett; Answer, Lord Edmond Fitzmaurice *April* 24, 1058

MAKINS, Colonel W. T., *Essex, S.*
Army—Conditions of Acceptance of Recruits, 75

[*cont.*

MAKINS, Colonel W. T.—*cont.*
Army and Militia (Numbers), 310
Deficiencies, 1711
Municipal Corporations (Unreformed), Comm. 1521; *add. cl.* 1536, 1537

MANNERS, Right Hon. Lord J. J. R., *Leicestershire, N.*
Africa (South)—Transvaal—Policy of H.M. Government, Res. 227, 228, 231
Customs and Inland Revenue, 2R. 990
Parks (Metropolis)—Mounds in the Green Park, 192
United Kingdom—Cultivation of Tobacco by Farmers for Sale, 621

MARJORIBANKS, Hon. E., *Berwickshire*
Government Life Annuitants—Certificates—10 Geo. IV., c. 24, 892

*Marriage Laws, The*
Resolution, Mr. Monk *April* 13, 260 [House counted out]

MARRIOTT, Mr. W. T., *Brighton*
Metropolitan District Railway, 2R. Amendt. 1026, 1037
Parliamentary Oaths Act (1866) Amendment, 2R. 1493

MARTIN, Mr. P., *Kilkenny Co.*
Ireland—Questions
Board of Works—Drainage, 905
Executive Government — Office of Law Adviser, 608
Law and Justice—The Law Adviser of the Crown, 66
Parliament—Board of Works (Ireland), 73

MARUM, Mr. E. P. M., *Kilkenny Co.*
Ireland—Timber Planting—Return of Trees planted since 1857, 1273
Union Rating, 1571

MASKELYNE, Mr. M. H. N. STORY-, *Cricklade*
Metropolitan District Railway, 2R. 1047

MAXWELL, Sir H. E., *Wigtonshire*
Ireland—Crime—Assassinations in the Phœnix Park, Dublin—Extradition of "No. 1," 435, 621
National Liberal Club, 1875, 1876
Parliamentary Oath (Mr. Bradlaugh), 88
Parochial Boards (Scotland), 2R. 538; Amendt. 547, 548, 551, 554

MAXWELL-HERON, Captain J. M., *Kirkcudbright*
Parliamentary Oaths Act (1866) Amendment, 2R. 1768

MAYNE, Mr. T., *Tipperary*
Criminal Code (Indictable Offences Procedure), 2R. 115
Ireland—Questions
Landlord and Tenant—Evictions on Lord Cloncurry's Estate, Co. Limerick, 1700

[*cont.*

MAYNE, Mr. T.—*cont.*
Law and Justice—Green Street Courthouse, Dublin, 64
Prevention of Crime Act, 1882—Proclamation of Co. Tipperary, 1266

**Medical Act Amendment Bill** [H.L.]
(*The Lord Carlingford*)
*l.* Committee *April* 19, 586 (No. 16)
Report, after debate *April* 26, 1118 (No. 36)
Read 3ª, and passed *April* 27, 1262 (No. 49)
*c.* Read 1º * (*Mr. Mundella*) *May* 2 [Bill 162]

**Medical Act (1858) Amendment Bill** [H.L.]
(*The Lord O'Hagan*)
*l.* Presented; read 1ª * *May* 4 (No. 52)

*Mercantile Marine*
*Classification of Merchant Vessels*, Question, Mr. Fraser-Mackintosh; Answer, Mr. Chamberlain *April* 16, 300
*Load-Line of Ships*, Question, Mr. Gourley; Answer, Mr. Chamberlain *April* 19, 609
*Loss of Life at Sea*, Question, Sir John Hay; Answer, Mr. Chamberlain *May* 4, 1871
*Signalling at Sea*, Question, Sir John Hay; Answer, Mr. Chamberlain *April* 12, 65

**Mersey River (Gunpowder) Bill** [H.L.]
(*The Earl of Rosebery*)
*l.* Presented; read 1ª *, and referred to the Examiners *April* 23 (No. 46)
Read 2ª * *April* 27
Committee *; Report *April* 30
Read 3ª * *May* 1

METROPOLIS (*Questions*)
*Commons and Open Spaces*
*Peckham Rye Common*, Questions, Mr. Firth; Answers, Sir James M'Garel-Hogg *April* 23, 891
*St. James's Burial Ground, Westminster*, Question, Mr. J. Hollond; Answer, Sir Charles W. Dilke *April* 30, 1432

*Electric Lighting*, Question, Mr. J. R. Yorke; Answer, Mr. Chamberlain *April* 27, 1271
*Metropolitan Carriage Acts—The Cab Radius*, Question, Mr. Macfarlane; Answer, Sir William Harcourt *April* 16, 298
*Metropolitan Improvements*
*Hyde Park Corner*, Observations, Question, Earl Fortescue; Reply, Lord Sudeley *April* 27, 1263
*The Wellington Statue*, Questions, Mr. Gerard Noel; Answers, Mr. Shaw Lefevre *April* 30, 1423

*Metropolitan Water Companies — Return of Accounts*, Question, Sir R. Assheton Cross; Answer, Sir Charles W. Dilke *May* 3, 1713
*Water Supply*, Question, Mr. Firth; Answer, Sir Charles W. Dilke *April* 16, 318
*The Parks*
*The Mounds in the Green Park*, Questions, Mr. Dixon-Hartland, Mr. Schreiber, Lord John Manners; Answers, Mr. Shaw Lefevre *April* 13, 191

[*cont.*

METROPOLIS—*The Parks*—cont.
*St. James's Park*, Questions, The Earl of Belmore; Answers, Lord Sudeley *April* 17, 411; *April* 20, 734

*Metropolitan District Railway Bill* (*by Order*)
*c.* Moved, "That the Bill be now read 2°" *April* 24, 1011
Amendt. to leave out "now," add "upon this day six months" (*Mr. Hicks*); Question proposed, "That 'now,' &c.;" after debate, Amendt. withdrawn
Main Question put, and agreed to; Bill read 2°
Moved, "That it be an Instruction to the Committee to which the said Bill is referred, that, provided the Standing Orders have either been complied with or dispensed with, they have power to insert in the said Bill a Clause making it compulsory upon the Metropolitan District Railway Company to pull down the ventilators, now erected or in course of erection in Tothill Street, Broad Sanctuary, Victoria Street, the Thames Embankment and Gardens, and in Queen Victoria Street, under the award of Captain Galton, and to reinstate the said streets and gardens, upon such terms as may seem reasonable to the Committee" (*Mr. Marriott*), 1026
Amendt. to leave out from "That," add "the ventilators on the Embankment having been sanctioned by the House after full investigation of the facts by one of its Committees, and in order to promote the health and comfort of the millions who are travelling by the Underground Railway, the House declines, on mere *ex parte* statements, to upset the previous decision by an Instruction that would appear vindictive, as given on a Bill not relating to the subject" (*Mr. Anderson*) *v.*; Question proposed, "That the words, &c.;" after debate, Question put; A. 200, N. 110; M. 90 (D. L. 70)
Main Question put, and agreed to
Ordered, That leave be given to the Metropolitan Board of Works and the Commissioners of Sewers of the City of London to appear, by their Counsel, Agents, and Witnesses, before the Committee on the Bill in support of any Petition which may be presented by them respectively on the subject, notwithstanding that such Petition has been presented after the period limited by the Standing Orders for the presentation of Petitions against Private Bills.
Moved, That it be an Instruction to the Committee on the Bill to inquire what powers, if any, the Metropolitan District Railway Company now possess enabling them to cover in or build over the open cuttings on their Railways; and, if the Company has such powers, that the Committee have power, upon the Standing Orders being complied with or dispensed with, to amend or repeal the section or sections of the Act or Acts giving such powers with such provisos and upon such terms as may seem reasonable to the Committee
That leave be given to the Metropolitan Board of Works and the Commissioners of Sewers

[*cont.*

*Metropolitan District Railway Bill*—cont.
of the City of London to appear, by their Counsel, Agents, and Witnesses, before the Committee on the Bill in support of any Petition which may be presented by them respectively on the subject, notwithstanding that such Petition has been presented after the period limited by the Standing Orders for the presentation of Petitions against Private Bills (*Lord Algernon Percy*) ; Motion agreed to

*Metropolitan District Railway—The Ventilators on the Victoria Embankment*
Question, Lord Algernon Percy ; Answer, Sir James M'Garel-Hogg *April* 19, 613 ; Question, Observations, The Earl of Milltown ; Reply, Lord Sudeley *April* 20, 731

Midleton, Viscount
Agricultural Labourers (Ireland), Res. 185
Land Law (Ireland)—Landlords under the Irish Land Act, Motion for an Address, 1395

Milltown, Earl of
Land Law (Ireland)—Landlords under the Irish Land Act, Motion for an Address, 1406
Medical Act Amendment, Comm. *cl.* 3, 587 ; *cl.* 9, 592, 595 ; *cl.* 10, Amendt. 598 ; *cl.* 21, Amendt. 599 ; Report, *cl.* 36, Amendt. 1128
Metropolitan District Railway—Ventilators on the Victoria Embankment, 731
Parliament—House of Lords (Construction and Accommodation), Nomination of Select Committee, 889
Royal Irish Constabulary—Report of the Committee of Inquiry, 414

*Mines Regulation—Employers' Liability Act*
Question, Mr. Burt ; Answer, Sir William Harcourt *April* 19, 612

Molloy, Mr. B. C., *King's Co.*
Egypt (Re-organization), 1571
Mr. Sheldon Amos, 900, 1145
Ireland—Irish Land Commission — Appeals from the King's Co., 316, 1157
Supply, 1922

Monk, Mr. C. J., *Gloucester City*
Cemeteries, 2R. 1110
Customs and Inland Revenue, Comm. *cl.* 4, 1389 ; *cl.* 6, 1390 ; *cl.* 7, 1511
Limited Partnerships, 2R. 1674, 1680, 1687, 1694
Lord Alcester's Annuity, 2R. 670
Marriage Laws, Res. 260
Metropolitan District Railway, 2R. 1022
Parliament — Minister of Agriculture and Commerce, 1165
Railway Commission, Res. 1909, 1910

Monteagle, Lord
Emigration (Ireland), Res. 879

Moore, Mr. A. J., *Clonmel*
Constabulary and Police (Ireland) (Pay and Pensions), Leave, 1951
Customs Imports—Tabulation of Butter Substitutes, 1703

Morgan, Right Hon. G. Osborne (Judge Advocate General), *Denbighshire*
Army—Stoppage of Pay, 1144
Cemeteries, 2R. 1099, 1109
Contagious Diseases Acts, Res. 774
Parliamentary Oaths Act (1866) Amendment, 2R. 1218

Morley, Earl of (Under Secretary of State for War)
Army (Annual), 3R. 293
Army (Auxiliary Forces)—Militia Clothing, 187
Musketry Regulations, 1840
Army (India)—Surgeon-Major Thorburn, 406, 410

*Morocco—Sales of Slaves at Tangier*
Question, Mr. Whitworth ; Answer, Lord Edmond Fitzmaurice *April* 17, 418

Mount-Temple, Lord
Medical Act Amendment, Comm. *cl.* 28, 601

Mowbray, Right Hon. Sir J. R., *Oxford University*
Cemeteries, 2R. 1111, 1114
Parliament—Business of the House—Standing Committees and Private Bill Committees, 434
Committee of Selection (Special Report), 436, 437, 1265
Parliamentary Oaths Act (1866) Amendment, 2R. 1781

Mundella, Right Hon. A. J. (Vice President of the Committee of Council on Education), *Sheffield*
Education Department—Carnarvon Training College, 1131
Double Fees—Bridgnorth Union, 604
Education Department (Scotland) — Denominational Schools at Glencreran, Argyllshire, 894
Examination of Higher Class Schools, 896
Endowed Schools Acts — Charity Commissioners, 605
Intermediate Education (Wales), 1718

**Municipal Corporations (Borough Funds) Bill** (*Mr. Dodds, Mr. Edward Clarke, Mr. Jackson, Mr. St. Aubyn*)
*c.* Ordered ; read 1° * *May* 1 [Bill 159]

**Municipal Corporations (Unreformed) Bill** (*Sir Charles Dilke, Secretary Sir William Harcourt, Mr. Mundella, Mr. Hibbert*)
*c.* Committee ; Report *April* 30, 1517 [Bill 156]

**Muntz, Mr. P. H.,** *Birmingham*
Army Pay Department, 1721

*National Liberal Club, The*
Question, Sir Herbert Maxwell; Answer, Mr. Campbell-Bannerman *May* 4, 1875

**Navy** (*Questions*)
*Appointment of First Lieutenants,* Question, Observations, The Earl of Sandwich; Reply, Lord Alcester; Observations, Lord Elphinstone *April* 16, 271
*Greenwich Hospital Pensions,* Question, Sir Henry Fletcher; Answer, Sir Thomas Brassey *April* 20, 746
*H.M.S. "Daring,"* Questions, Mr. W. H. Smith, Mr. Carbutt; Answers, Mr. Campbell-Bannerman *May* 1, 1579
*Naval Artificers,* Question, Mr. Stewart Macliver; Answer, Mr. Campbell-Bannerman *April* 26, 1155
*Naval Stores—Engines and Boilers supplied by Private Firms—Guarantee,* Question, Mr. Fraser-Mackintosh; Answer, Mr. Campbell-Bannerman *April* 16, 302
*Navy Pensions,* Question, Admiral Egerton; Answer, Mr. Campbell-Bannerman *April* 17, 425
*Naval Pensions Committee, The,* Question, Mr. W. H. Smith; Answer, Mr. Campbell-Bannerman *April* 19, 611
*Seamen and Marines—Establishment of a Pension Fund,* Questions, Sir H. Drummond Wolff, Captain Price; Answers, Mr. Campbell-Bannerman *May* 3, 1721
*Purchase of Cloth,* Question, Captain Price; Answer, Mr. Campbell-Bannerman *April* 13, 198
*The Royal Marines—Pay of Men employed on Police Duty in Ireland,* Question, Mr. Gorst; Answer, Mr. Campbell-Bannerman *April* 26, 1152
*Victualling, &c.—Seamen's Rations,* Question, Captain Price; Answer, Mr. Campbell-Bannerman *April* 16, 302
*Warrant Officers,* Questions, Sir H. Drummond Wolff, Mr. Puleston; Answers, Mr. Campbell-Bannerman *April* 16, 305

*Navy—Naval Lieutenants*
Moved to resolve, "That in the opinion of this House the rates of full pay of naval lieutenants and sub-lieutenants should be assimilated to that of officers holding relative rank in the Army; the half-pay of naval lieutenants and sub-lieutenants should be in all cases the actual half of the full pay, except when length of service entitles them to a higher scale" (*The Earl of Belmore*) *April* 16, 263; after short debate, Motion withdrawn

*Navy—The Naval Forces*
Moved, "That a Select Committee be appointed to inquire as to the adequacy of the present naval forces of this country to meet the increasing demands made on their services, and such further demands as may hereafter arise in consequence of the augmentation of foreign navies" (*The Viscount Sidmouth*) *April* 12, 40; after short debate, Motion withdrawn

**Newdegate, Mr. C. N.,** *Warwickshire, N.*
Customs and Inland Revenue, 2R. 990, 1245
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1588
Parliamentary Oath (Mr. Bradlaugh), 321, 428, 431, 433, 1855
Parliamentary Oaths Act (1866) Amendment, 2R. 1223, 1450; Motion for Adjournment, 1664, 1726, 1734, 1750, 1790, 1820

**New Forest (Highways) Bill**
(*Mr. Courtney, Mr. Cotes*)
c. *Crown Contributions in Lieu of Highway Rate,* Question, Mr. Compton; Answer, Mr. Courtney *April* 12, 65
Read 2°, after short debate, and committed to a Select Committee of Nine Members; Five to be nominated by the House, and Four by the Committee of Selection *May* 1, 1667
[Bill 135]

**Noel, Right Hon. G. J.,** *Rutland*
Metropolitan Improvements — Wellington Statue, 1423

**Nolan, Colonel J. P.,** *Galway Co.*
Army—Stoppage of Pay, 1144
Elective Councils (Ireland), 2R. 14
Ireland—Questions
  Inland Navigation and Drainage — The Shannon, 1150
  Public Works, 1162
  Towns Improvement Act — Extension of Borough Boundaries, 1145

**North, Colonel J. S.,** *Oxfordshire*
Lord Alcester's Annuity, 2R. 665

**Northbrook, Earl of (First Lord of the Admiralty)**
British Possessions Abroad—The Royal Commission, 1835
Navy—Naval Forces, Motion for a Select Committee, 44, 47, 49
Navy—Naval Lieutenants, Res. 266

**Northcote, Right Hon. Sir S. H.,** *Devon, N.*
Africa (South)—Transvaal—Policy of H.M. Government, Res. 204, 258
Contagious Diseases Acts, Res. 837, 849, 854
Customs and Inland Revenue, 2R. 993, 1255; Comm. 1385; *cl.* 7, 1513, 1514
Inland Revenue—Collection of Income Tax, 64
Local Option, Res. 1355, 1360
Local Taxation, Res. 512
Lords Alcester and Wolseley—Messages from the Queen, Comm. 328
Parliament—Questions
  Business of the House, 82, 89, 858, 1166, 1167, 1279; Ministerial Statement, 1878, 1880
  Minister of Agriculture and Commerce, 1166
  Public Business—Transvaal Debate, 323; —Tuesdays and Fridays, 631, 632
  Standing Committees—Attendance of Members, 1577

[*cont.*

**NORTHCOTE, Right Hon. Sir S. H.**—*cont.*
- Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1585
- Parliamentary Oath (Mr. Bradlaugh), Communication to the House, 1843, 1844, 1853
- Parliamentary Oaths Act (1866) Amendment, 2R. 1222, 1508, 1799, 1814
- Ways and Means—Financial Proposals—Duty on Silver Plate, 326

**NORTHCOTE, Mr. H. S.**, *Exeter*
- Parliamentary Oath (Mr. Bradlaugh), 1709
- Post Office—Buildings—The Exeter Post Office, 79

**NORTON, Lord**
- Education Department—New Code, 189

**NORWOOD, Mr. C. M.**, *Kingston-upon-Hull*
- Limited Partnerships, 2R. 1683

**O'BEIRNE, Colonel F.**, *Leitrim*
- Army—Veterinary Department—Retired Pay, 315
- Ireland—Drainage Loans—Payment of Instalments, 896
  - Post Office—Glencar, Co. Leitrim, 1704;—Telegraph Department—Carrigaleen, 58

**O'BRIEN, Mr. W.**, *Mallow*
- Constabulary and Police (Ireland) (Pay and Pensions), Leave, Motion for Adjournment, 1941, 1942, 1952
- Criminal Code (Indictable Offences Procedure), 2R. 117, 118, 161
- Ireland—Questions
  - Arrears of Rent Act, 1882—Alleged Ejectments, 1713
  - Criminal Law—John Casey, 741
  - Irish Land Commission—Limerick Sub-Commissioners—Listed Cases, 901, 902
  - Land Law Act, 1881—Evictions on Lord Cloncurry's Estate at Murroe, Co. Limerick, 1147
  - National Education—Assistant Teachers, 1710
  - State-Aided Emigration, 1574
- Ireland—Law and Justice—Questions
  - Belfast Assizes, 1431, 1432
  - Execution of Myles Joyce for Murder, 1138
  - Green Street Courthouse, Dublin, 65, 620, 621
  - Jury Panels, 1134, 1135
  - Trial of Joseph Brady for Murder, 192, 193, 194
  - Trial of Timothy Kelly for Murder—Protection for Witnesses, 1270
- Ireland—Poor Law—Questions
  - Ballymacwilbain—Election of a Guardian, 1412
  - Bantry—Election of Guardians, 420
  - Cork Union—Election of Guardians, 69, 743
  - Elections, 194
  - Franchise for the Election of Guardians, 742

**O'BRIEN, Mr. W.**—*cont.*
  - Loughrea Workhouse — Alleged Ill-treatment, 1714
  - Outdoor Relief—The Unions of Glenties and Dunfanaghy, 1862, 1863
  - Rathdrum Union—Election of a Guardian, 1133
- Ireland—Prevention of Crime Act, 1882—Questions
  - Clause 16—Secret Inquiries, 1715, 1716
  - Sec. 13 — Private Examination of Witnesses—Return of Persons confined for refusing to give Evidence, 614, 615
  - Sec. 14—Seizure of Documents, 616, 617, 1422
- Ireland—State of—Questions
  - Distress in Donegal, 423
  - Distress in the West and North-West, 1408
  - Extra Police—Co. Clare, 615
- Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1596
- Parliamentary Oaths Act (1866) Amendment, 2R. 1760, 1764
- Poor Relief (Ireland), Motion for Leave, 1261
- Supply, 1932, 1933

**O'CONNOR, Mr. A.**, *Queen's Co.*
- Army — Seconding of Officers appointed to serve in the Egyptian Army, 74
- Customs and Inland Revenue, Comm. *cl.* 7, Motion for Adjournment, 1511, 1514
- Ireland—Questions
  - Imperial Expenditure, 1150, 1151
  - Law and Justice — Licensing Sessions, Dublin, 1435
  - National Education—Model Schools, 310
  - Peace Preservation Act, 1881—Arrest of Mr. J. O'Connor, 71
  - Poor Law—Industrial Training of Pauper Children in Mount Mellick Workhouse—Dr. Bourke's Inquiry, 74
  - Prisons—Spike Island, 1414
  - State-Aided Emigration, 1154, 1572
- Municipal Corporations (Unreformed), Comm. 1522
- Parliament—Standing Committees — Attendance of Members, 1578
- Parliamentary Oaths Act (1866) Amendment, 2R. 1776

**O'CONNOR, Mr. T. P.**, *Galway*
- Criminal Code (Indictable Offences Procedure), 2R. 138, 144; Motion for Commitment, 332; Amendt. 333, 347
- Ireland—Questions
  - Irish Land Commission—Judicial Rents, Donegal, 1274
  - Law and Justice—The Law Adviser of the Crown, 67
  - Magistracy—Louth Petty Sessions—Captain Keogh, 1267
  - National Education—Model Schools, 310
  - Prevention of Crime Act, 1882—Defence of Prisoners—Collection of Voluntary Subscriptions, 617, 618
  - Prisons—Spike Island, 1413
  - State-Aided Emigration, 1573, 1574, 1870
- Parliament—Whitsuntide Recess, 1438
- Supply, 1928, 1929, 1930, 1933

O'Donnell, Mr. F. H., *Dungarvan*
  Cemeteries, 2R. Motion for Adjournment, 1103, 1104
  Compensation for Agricultural Improvements, 629
  Constabulary and Police (Ireland) (Pay and Pensions), Res. 1727
  Criminal Code (Indictable Offences Procedure), 2R. 111, 150, 159, 160
  Customs and Inland Revenue, 2R. 992 ; Comm. *cl.* 7, 1512
  Danubian Conference — Admission of Roumania, 64
  Egypt—Ahmed Bey Khandeel, 1875
  India—East India—Code of Criminal Procedure Amendment Bill, 81
    Riots at Salem, Madras, 625
  Ireland—Questions
    Irish Land Commission—Sitting at Dungarvan, 1141
    Law and Justice—Jury Panels, 1135
    Poor Law—Donegal Workhouse, 1140
    Post Office — Telegraph Department — Dublin Telegraph Clerks, 1158
    Prevention of Crime Act, 1882—Arrests near Miltown Malbay, 1426 ;—Clause 16 —Secret Inquiries, 1428, 1429, 1430
    State-Aided Emigration, 1869
    Under Secretary to the Lord Lieutenant, 1427, 1428
  Literature, Science, and Art—Purchase of the Ashburnham MSS.—The Irish MSS. 1160
  Local Option, Res. 1376
  Lord Alcester's Annuity, 2R. 668
  Municipal Corporations (Unreformed), Comm. Motion for Adjournment, 1519, 1520, 1524
  Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1594
  Parliamentary Oath (Mr. Bradlaugh), 1857
  Parliamentary Oaths Act (1866) Amendment, 2R. 1223, 1634
  Supply, 1917, 1918, 1940
  Western Islands of the Pacific—Australian Colonies — Annexation of New Guinea by Queensland, 626

O'Donoghue, The, *Tralee*
  Post Office—Parcels Post, 1720

O'Hagan, Lord
  Medical Act Amendment, Comm. *cl.* 9, 594

O'Kelly, Mr. J., *Roscommon*
  Constabulary and Police (Ireland) (Pay and Pensions), Leave, 1941
  Ireland—Questions
    Crime—Miltown Malbay, 1724
    Evictions—Co. Roscommon, 736
    State-Aided Emigration, 1869
  Western Islands of the Pacific—Australian Colonies—Annexation of New Guinea by Queensland, 1719, 1878

Onslow, Earl of
  Stage Plays in Aid of Charities, 2R. 720

Onslow, Mr. D. R., *Guildford*
  Afghanistan—Sir Lepel Griffin, 326
  Africa (South)—Transvaal Government—Dr. Jorissen, 77, 78

Onslow, Mr. D. R.—*cont.*
  Africa (South)—Transvaal—Policy of H.M. Government, Res. 203, 204
  Army—Undress Uniform of the Infantry, 304
  Burmah—Observance of Treaties with India, 1414
  Criminal Code (Indictable Offences Procedure), Motion for Commitment, 338, 341, 342, 346
  East India — Code of Criminal Procedure Amendment, 1161, 1162
  France and Annam (Tonquin), 1415, 1416
  Local Option, Res. 1349
  Lord Wolseley's Annuity, 2R. 716
  Parliament—Public Business, 89

Oranmore and Browne, Lord
  Agricultural Labourers (Ireland), Res. 176
  Contempts of Court, Comm. *cl.* 16, 886, 889
  Emigration (Ireland), Res. 886
  Land Law (Ireland)—Landlords under the Irish Land Act, Motion for an Address, 1390, 1403

O'Shaughnessy, Mr. R., *Limerick*
  Contagious Diseases Acts, Res. 805
  Ireland—Inland Navigation and Drainage—Upper Shannon, 318
  Parliamentary Oaths Act (1866) Amendment, 2R. 1778

O'Shea, Mr. W. H., *Clare*
  Ireland—Royal Irish Constabulary, 1054

O'Sullivan, Mr. W. H., *Limerick Co.*
  Parliamentary Oaths Act (1866) Amendment, 2R. 956

Otway, Sir A. J. (Chairman of Committees of Ways and Means and Deputy Speaker), *Rochester*
  London and North Western Railway (Additional Powers), Consid. 1560
  Metropolitan District Railway, 2R. 1019
  Parliament—Ascension Day, Motion for Meeting of Committees, 1673
  Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1592
  Parliamentary Oaths Act (1866) Amendment, 2R. 1477, 1478, 1511, 1665
  Prevention of Crime (Ireland) Act (1882) (Audience of Solicitors), Comm. *cl.* 2, 397, 398

**Oyster and Mussel Fisheries Orders Confirmation Bill**

(*Mr. John Holms, Mr. Chamberlain*)

c. Report * *April* 12 [Bill 87]
  Considered * *April* 13
  Read 3° * *April* 16
l. Read 1ª * (*Lord Sudeley*) *April* 19 (No. 33)
  Read 2ª * *April* 27
  Committee * *April* 30
  Report * *May* 1
  Read 3ª * *May* 4

[*cont.*

*Pacific, Islands of the South—The New Hebrides — Alleged Seizure of Property by French Settlers*
Question, Mr. Alexander M'Arthur; Answer, Lord Edmond Fitzmaurice *April* 23, 898

*Pacific*—See title *Western Islands of the Pacific*

PAGET, Mr. R. H., *Somersetshire, Mid*
Cemeteries, 2R. 1110
Criminal Code (Indictable Offences Procedure), Motion for Commitment, 348
London and North Western Railway (Additional Powers), Consid. 1552, 1554, 1558, 1564
Parliament—Grand Committees and Private Bill Committees—Railway Bills (Group 6), Report, 294, 435
Minister of Agriculture and Commerce, 1165

PALMER, Mr. J. H., *Lincoln*
Criminal Code (Indictable Offences Procedure), 2R. 114
Parliamentary Oaths Act (1866) Amendment, 2R. 956

PARKER, Mr. C. S., *Perth*
Local Option, Res. 1331
Parochial Boards (Scotland), 2R. 575

**Parliament**
LORDS—
*House of Lords (Construction and Accommodation*
Select Committee nominated; List of the Committee *April* 23, 889

*The Whitsun Recess*, Observation, Earl Granville *May* 1, 1544

*PRIVATE BILLS*
Moved to resolve that the following be made a Standing Order:—"In any case in which an infant is or may be interested in the consequences of an Estate Bill, the Chairman of Committees may, if he think fit, require that such infant shall be represented before the Committee on the Bill by a person to be appointed as or in the nature of a guardian or protector of such infant by the Lord Chancellor, or the Lord Keeper of the Great Seal by writing under his hand" *April* 20; agreed to [No. 163a]

COMMONS—
*Indisposition of Mr. Speaker*
Sir Arthur Otway, the Chairman of Ways and Means, as Deputy Speaker, took the Chair *April* 27, *April* 30, *May* 1, *May* 2

*Standing Committees and Private Bill Committees*
*Simultaneous Sittings*, Question, Mr. Heneage; Answer, Sir John R. Mowbray; Question, Mr. Dodds; [No reply] *April* 17, 434
*Grand Committees—Report of Proceedings and Speeches*, Question, Mr. Sheil; Answer, Mr. Gladstone *April* 12, 85

[*cont.*

PARLIAMENT — COMMONS — *Standing Committees and Private Bill Committees*—cont.
*Attendance of Members*, Questions, Mr. Staveley Hill, Mr. Sexton, Mr. Gorst, Sir Stafford Northcote, Mr. Arthur O'Connor; Answers, The Attorney General *May* 1, 1576

*Rules and Orders of the House—Sittings of Grand Committees*
Standing Committee on Law (Criminal Code (Indictable Offences Procedure) Bill), Members added *April* 17, 436
Mr. Reginald Yorke discharged, Mr. Arthur Balfour substituted *April* 27, 1265
Ordered, That the Standing Committee on Law, and Courts of Justice, and Legal Procedure have leave to print and circulate with the Votes any amended Clauses of the Court of Criminal Appeal Bill, and the Criminal Code (Indictable Offences Procedure) Bill, from time to time (*Mr. Sclater-Booth*) *April* 24

Standing Committees on Trade, Shipping, and Manufactures, Ordered, That the Standing Committee on Trade, Shipping, and Manufactures have leave to print and circulate with the Votes any amended Clauses of the Bankruptcy Bill from time to time (*Mr. Goschen*) *April* 23

*Public Petitions*
Special Report brought up [No. 134] *April* 20, 785 (Irregularities in respect of certain Petitions in favour of repealing the Contagious Diseases Acts)

*Money Bills—The Half-Past Twelve O'Clock Rule—Pensions to Lord Alcester and Lord Wolseley*, Observations, Mr. Labouchere; Reply, Mr. Gladstone *April* 20, 749

*BUSINESS OF THE HOUSE*
*The Parliamentary Oaths Act* (1866) *Amendment Bill — Postponement of Orders of the Day*, Moved, "That the Order for resuming the Adjourned Debate on the Parliamentary Oaths Act (1866) Amendment Bill have precedence this day of the Notices of Motions and the other Orders of the Day" (*Mr. Gladstone*) *May* 1, 1579; after debate, Question put; A. 157, N. 105; M. 52 (D. L. 78)

*BUSINESS OF THE HOUSE AND PUBLIC BUSINESS*
Observations, Mr. Gladstone; Questions, Mr. A. F. Egerton, Sir Stafford Northcote, Mr. Beresford Hope, Mr. Onslow; Answers, Mr. Gladstone, The Chancellor of the Exchequer, Sir Charles W. Dilke *April* 12, 88; Question, Mr. Heneage; Answer, Mr. Gladstone *April* 13, 200; Questions, Sir Stafford Northcote, Sir Wilfrid Lawson; Answers, The Marquess of Hartington *April* 20, 858; Questions, Sir Stafford Northcote, Sir Walter B. Barttelot; Answers, Mr. Gladstone *April* 26, 1166; Questions, Earl Percy, Mr. J. Stewart; Answers, The Marquess of Hartington, Mr. Gladstone *May* 3, 1724; Ministerial Statement, Mr. Gladstone; Questions, Sir Stafford Northcote; Answers, Mr. Gladstone, The Chancellor of the Exchequer *May* 4, 1878;—*The Parliamentary*

[*cont.*

PARLIAMENT—COMMONS—*Business of the House and Public Business*—cont.

*Oaths Act* (1866) *Amendment Bill,* Questions, Mr. M'Lagan, Mr. Labouchere; Answers, The Attorney General *April* 12, 60; Questions, Sir Stafford Northcote, Mr. Labouchere, Sir H. Drummond Wolff; Answers, Mr. Gladstone, 82;—*The Board of Public Works* (*Ireland*), Question, Mr. P. Martin; Answer, Mr. Courtney *April* 12, 73;—*The Transvaal Debate,* Questions, Lord George Hamilton, Sir Michael Hicks-Beach, Mr. Cropper; Answers, Mr. Evelyn Ashley *April* 12, 86; Question, Sir Stafford Northcote; Answer, Mr. Gladstone *April* 16, 323; —*The Transvaal—Policy of Her Majesty's Government,* Questions, Sir Stafford Northcote, Lord Randolph Churchill; Answers, Mr. Gladstone, Lord Richard Grosvenor *April* 27, 1279;—*State of Public Business—Tuesdays and Fridays,* Questions, Mr. Carbutt, Lord Henry Lennox; Answers, Mr. Gladstone; Question, Sir Stafford Northcote; Answer, Mr. Gorst; Questions, Sir Stafford Northcote, Lord Randolph Churchill; Answers, Mr. Gladstone *April* 19, 631;—*Agricultural Tenants' Compensation—Legislation,* Question, Mr. Chaplin; Answer, Mr. Gladstone *April* 23, 913;—*The Tenants' Compensation Bill and the Government of London Bill,* Question, Sir Alexander Gordon; Answer, Mr. Gladstone *April* 24, 1061;—*The Agricultural Holdings Bill,* Question, Mr. Heneage; Answer, Mr. Gladstone *May* 1, 1578;—*Police Superannuation Bill,* Question, Sir Henry Selwin-Ibbetson; Answer, Mr. Gladstone *April* 23, 913:—*Parliamentary Elections* (*Corrupt and Illegal Practices*) *Bill,* Question, Lord Randolph Churchill; Answer, Mr. Gladstone *April* 27, 1279; Question, Sir R. Assheton Cross; Answer, Mr. Gladstone *May* 1, 1575;—*The Navy Estimates,* Question, Mr. Gorst; Answer, Mr. Gladstone *April* 27, 1279; Question, Mr. W. H. Smith; Answer, Mr. Gladstone *May* 1, 1578;—*The Government of London Bill,* Questions, Mr. Firth, Mr. Hopwood, Mr. P. A. Taylor, Mr. Hicks, Mr. Lewis; Answers, Mr. Gladstone *April* 30, 1436;—*The Cuban Refugees,* Questions, Sir R. Assheton Cross, Mr. Arthur Arnold; Answers, Mr. Gladstone *May* 1, 1575;—*Lords Alcester and Wolseley Annuities Bills,* Question, Sir Wilfrid Lawson; Answer, Mr. Gladstone *May* 4, 1880

*SITTING AND ADJOURNMENT OF THE HOUSE*

*Ascension Day,* Moved, "That Committees shall not sit To-morrow, being Ascension Day, until Two of the Clock, and have leave to sit until Six of the Clock, notwithstanding the sitting of the House" (*Mr. Gladstone*) *May* 2, 1671; after short debate, Question put; A. 69, N. 20; M. 49 (D.L. 79)

*The Committees and Ascension Day,* Question, Mr. Arthur Arnold; Answer, Sir Joseph Bailey *May* 3, 1725

*The Whitsuntide Recess,* Questions, Sir Walter B. Barttelot, Mr. Hopwood; Answers, Mr. Gladstone; Question, Mr. T. P. O'Connor; [no reply] *April* 30, 1438

[*cont.*

PARLIAMENT—COMMONS—*cont.*

*QUESTIONS*

*Inland Revenue Department—Grievances of Officers—Right of Petition,* Questions, Lord Randolph Churchill, Mr. Raikes; Answers, The Chancellor of the Exchequer, Mr. Speaker *April* 26, 1163; Questions, Lord Randolph Churchill, Mr. Gorst; Answers, The Chancellor of the Exchequer *April* 27, 1272

*Parliamentary Franchises—Foreign Countries,* Questions, Mr. Buxton, Mr. Brodrick; Answers, Lord Edmond Fitzmaurice *April* 16, 317

*Parliamentary Oaths Act,* 1866, Question, Sir William Hart Dyke; Answer, Mr. Gladstone *April* 17, 427

*The Board of Public Works* (*Ireland*)—*Legislation,* Question, Mr. P. Martin; Answer, Mr. Courtney *April* 12, 73

PALACE OF WESTMINSTER

*The House of Commons—The Electric Light,* Questions, Lord Randolph Churchill, Viscount Folkestone; Answers, Mr. Shaw Lefevre; Question, Mr. R. N. Fowler; [no reply] *April* 17, 426

*The Statues in Westminster Hall,* Notice, Mr. Bromley-Davenport *April* 16, 325; Question, Mr. Bromley-Davenport; Answer, Mr. Shaw Lefevre *April* 19, 611

PARLIAMENT—HOUSE OF LORDS

*Took the Oath for the First Time*

*Mar* 8—The Lord Bishop of Rochester

*New Peer*

*April* 12—Sir Frederick Beauchamp Paget Seymour, G.C.B., Admiral and Commander-in-Chief of Her Majesty's Naval Forces in the Mediterranean, created Baron Alcester of Alcester in the county of Warwick

*Sat First*

*April* 27—The Lord Wemyss (The Earl of Wemyss and March), after the death of his father.

PARLIAMENT—HOUSE OF COMMONS

*New Member Sworn*

*April* 20—Timothy Harrington, esquire, *Westmeath County*

*Parliamentary Oath* (*Mr. Bradlaugh*)

Question, Sir Herbert Maxwell; Answer, Mr. Gladstone *April* 12, 88; Questions, Sir H. Drummond Wolff, Mr. Newdegate, Sir William Hart Dyke, Lord Randolph Churchill; Answers, Mr. Gladstone *April* 16, 319; Observations, Question, Mr. Newdegate; Reply, Mr. Gladstone; Questions, Lord Randolph Churchill, Sir H. Drummond Wolff, Mr. Newdegate; Answers, Mr. Gladstone, The Attorney General *April* 17, 428

Letter received by Mr. Speaker from Mr. Bradlaugh, one of the Members for Northampton *May* 4, 1812

[*cont.*

*Parliamentary Oath* (*Mr. Bradlaugh*)—cont.
Moved, "That, having regard to the Resolutions of this House of the 22nd June 1880, of the 26th April 1881, and of the 7th February and 6th March 1882, and to the Reports and Proceedings of two Select Committees therein referred to, Mr. Bradlaugh be not permitted to go through the form of repeating the words of the Oath prescribed by the Statutes 29 Vic. c. 19, and 31 and 32 Vic. c. 72" (*Sir Stafford Northcote*)
Moved, "That Mr. Bradlaugh be heard at the Bar" (*Mr. Labouchere*); Question put, and agreed to
Previous Question proposed, "That the Original Question be now put" (*Mr. Labouchere*); After short debate, Question put; A. 271; N. 165; M. 106; original Question put, and agreed to
Div. List, A. and N., 1859

*Parliamentary Elections* (*Corrupt and Illegal Practices*) *Bill*
Question, Mr. Lewis; Answer, Mr. Gladstone *April* 16, 326

*Parliamentary Oaths Act* (1866) *Amendment Bill*
Question, Lord Randolph Churchill; Answer, Mr. Gladstone *April* 17, 436; Questions, Mr. Schreiber; Answers, Mr. Gladstone *April* 23, 915; *April* 24, 1062
*Petitions*, Question, Mr. Labouchere; Answer, Mr. Gladstone *May* 1, 1576

**Parliamentary Oaths Act (1866) Amendment Bill**
(*Mr. Attorney General, The Marquess of Hartington, Secretary Sir William Harcourt, Mr. Solicitor General*)
*c.* Moved, "That the Bill be now read 2°" *April* 23, 915
Amendt. to leave out "now," add "upon this day six months" (*Sir Richard Cross*); Question proposed, "That 'now,' &c.;" after long debate, Moved, "That the Debate be now adjourned" (*Sir H. Drummond Wolff*); Question put, and agreed to; Debate adjourned
Debate resumed [Second Night] *April* 26, 1167; after long debate, Moved, "That the Debate be now adjourned" (*Lord Randolph Churchill*); after further short debate, Motion agreed to; Debate further adjourned
Debate resumed [Third Night] *April* 30, 1439; after long debate, Moved, "That the Debate be now adjourned" (*Mr. Walter*); after further short debate, Question put, and agreed to; Debate further adjourned
Debate resumed [Fourth Night] *May* 1, 1598; after long debate, Moved, "That the Debate be now adjourned" (*Mr. Newdegate*); after further short debate, Question put, and agreed to; Debate further adjourned
Debate resumed [Fifth Night] *May* 3, 1725; after long debate, Question put; A. 289, N. 292; M. 3
Div. List, A. and N., 1821

*Parliamentary Oaths Act* (1866) *Amendment Bill*—cont.
Words added; main Question, as amended, put, and agreed; 2R. put off [Bill 89]
Personal Explanation, Mr. E. Stanhope *May* 3, 1702; Question, Mr. H. S. Northcote; Answer, The Attorney General, 1709

**Parliamentary Registration (Ireland) Bill** (*Mr. Trevelyan, Mr. Attorney General for Ireland*)
*c.* Ordered; read 1°* *April* 26 [Bill 155]

PARNELL, Mr. C. S., *Cork City*
Constabulary and Police (Ireland) (Pay and Pensions), Res. Motion for Adjournment, 1826
Criminal Code (Indictable Offences Procedure), 2R. 151; Motion for Commitment, 348
Elective Councils (Ireland), 2R. 28
Ireland—Questions
  Landlord and Tenant—Evictions on Lord Cloncurry's Estate, Murroe, Co. Limerick, 1707
  Law and Justice—Belfast Assizes, 1432;—Trial of Joseph Brady for Murder, 193, 194
  Prisons—James Kelly, 1418, 1419
Ireland—Prevention of Crime Act, 1882—Questions
  Arrests near Miltown Malbay, 1427
  Defence of Prisoners—Collection of Voluntary Subscriptions, 745
  Section 16—Private Examination of Witnesses—Untried Prisoners, 312, 313, 314
Patents for Inventions, 2R. 356
Poor Relief (Ireland), Motion for Leave, 1258, 1259, 1260

**Parochial Boards (Scotland) Bill**
(*Dr. Cameron, Mr. Baxter, Mr. Barclay, Mr. Mackintosh*)
*c.* Moved, "That the Bill be now read 2°" *April* 18, 529
Amendt. to leave out "now," add "upon this day six months" (*Sir Herbert Maxwell*); Question proposed, "That 'now,' &c.;" after long debate, Question put; A. 107, N. 103; M. 4 (D. L. 63)
Main Question put; A. 91, N. 83; M. 8 (D. L. 64); Bill read 2° [Bill 12]
Question, Sir Edward Colebrooke; Answer, Dr. Cameron *April* 23, 914

**Parochial Charities (London) Bill**
(*Mr. Bryce, Mr. Pell, Sir Henry Peek, Mr. Walter James, Mr. Cohen, Mr. Davey*)
*c.* Read 2°, after short debate, and committed to a Select Committee of Eighteen Members, Twelve to be nominated by the House, and Six by the Committee of Selection *May* 2, 1695; List of the Committee, 1700 [Bill 23]

**Partnerships Bill** (*Mr. Serjeant Simon, Mr. Gregory, Mr. Barran, Mr. Lewis Fry, Mr. Norwood*)
*c.* 2R., debate adjourned *April* 18, 585 [Bill 40]

[*cont.*

**Patents for Inventions Bill**
(*Mr. Chamberlain, Mr. Solicitor General, Mr. John Holms*)
*c.* Read 2°, after long debate, and committed to the Standing Committee on Trade, Shipping, and Manufactures *April* 16, 349 [Bill 3]

*Patents for Inventions* [*Salaries and Expenses*]
*c.* Considered in Committee *April* 18, 585 ; Resolution agreed to
Resolution reported *April* 19

Patrick, Mr. R. W. Cochran-, *Ayrshire, N.*
Local Option, Res. 1329
Parochial Boards (Scotland), 2R. 566

*Peace Preservation (Ireland) Act,* 1881 *—Section* 1*—Arrest of Mr. James O'Connor*
Question, Mr. Arthur O'Connor ; Answer, Mr. Trevelyan *April* 12, 71
[See title *Prevention of Crime (Ireland) Act,* 1882]

Pease, Sir J. W., *Durham, S.*
Lord Alcester's Annuity, 2R. 667
Ways and Means—Financial Proposals—Duty on Silver Plate, 314

Peddie, Mr. J. Dick-, *Kilmarnock, &c.*
Local Option, Res. 1344
Parliamentary Oaths Act (1866) Amendment, 2R. 1204

Pell, Mr. A., *Leicestershire, S.*
Cemeteries, 2R. 1112
Local Taxation, Res. 437, 518, 522, 524

Percy, Right Hon. Earl, *Northumberland, N.*
Parliament—Business of the House, 1724

Percy, Lord A., *Westminster*
Metropolitan District Railway—Ventilators on the Victoria Embankment, 613
Metropolitan District Railway, 2R. Amendt. 1050
Parliamentary Oaths Act (1866) Amendment, 2R. 1201

Phipps, Mr. P., *Northamptonshire, S.*
Post Office—Parcels Post, 300

**Pier and Harbour Provisional Orders Bill** (*Mr. John Holms, Mr. Chamberlain*)
*c.* Ordered ; read 1°* *April* 19 [Bill 147]
Read 2°* *April* 30

**Pier and Harbour Provisional Order (No. 2) (Whitby) Bill**
(*Mr. John Holms, Mr. Chamberlain*)
*c.* Ordered ; read 1°* *May* 1 [Bill 158]

Playfair, Right Hon. Lyon, *Edinburgh and St. Andrew's Universities*
Universities (Scotland) Bill, 915

Plunket, Right Hon. D. R., *Dublin University*
Elective Councils (Ireland), 2R. 27
London and North Western Railway (Additional Powers), Consid. 1559, 1560, 1565

**Pluralities Acts Amendment Bill** [H.L.]
(*The Lord Bishop of Rochester*)
*l.* Presented ; read 1ª* *April* 23 (No. 42)
Read 2ª *May* 1, 1539

*Police Force, The—Cost*
Question, Viscount Folkestone ; Answer, Sir Charles W. Dilke *May* 3, 1719

*Poor Law (England and Wales)*
*Emigration of Pauper Children,* Question, Mr. Rankin ; Answer, Sir Charles W. Dilke *April* 23, 899
*Lady Inspectors,* Question, Observations, Viscount Enfield ; Reply, Lord Carrington *April* 12, 52

**Poor Relief (Ireland) Bill**
(*Mr. Trevelyan, Mr. Herbert Gladstone*)
*c.* Motion for Leave (*Mr. Trevelyan*) *April* 26, 1257 ; after short debate, Question put ; A. 124, N. 9 ; M. 115 (D. L. 72) ; Bill ordered ; read 1°* [Bill 154]
*Outdoor Relief,* Question, Colonel Colthurst ; Answer, Mr. Trevelyan *May* 3, 1706
*The Second Reading,* Question, Mr. Sexton ; Answer, Mr. Trevelyan *May* 4, 1880

**Poor Removal and Settlement (Ireland) Bill** (*Sir Hervey Bruce, Mr. Corry, Mr. Lewis, Mr. O'Sullivan*)
*c.* Order for 2R. read *April* 25, 1082
Notice taken, that the Bill was not prepared pursuant to the Order of Leave (*Mr. Buchanan*) ; after short debate, Moved, "That the Order for 2R. be discharged" (*Sir Hervey Bruce*) ; Question put, and agreed to ; Order discharged ; Bill withdrawn [Bill 20]

*Portugal—Angola*
Question, Lord George Hamilton ; Answer, Lord Edmond Fitzmaurice *April* 19, 630
[See title *Africa (South)—River Congo*]

Post Office (*Questions*)
*Exeter Post Office Buildings, The,* Question, Mr. H. S. Northcote ; Answer, Mr. Shaw Lefevre *April* 12, 79
*House of Commons Lobby,* Questions, Mr. J. N. Richardson, Mr. Raikes ; Answers, Mr. Fawcett *April* 27, 1265
*Rural Post Offices,* Question, Mr. Macfarlane ; Answer, Mr. Fawcett *April* 16, 305
*The Parcels Post,* Questions, Mr. Stuart-Wortley, Mr. Pickering Phipps ; Answers, Mr. Fawcett *April* 16, 299 ; Question, The O'Donoghue ; Answer, Mr. Fawcett *May* 3, 1720

[*cont.*

Post Office—*cont.*
*The West Coast of Africa*, Questions, Mr. Slagg; Answers, Mr. Courtney, Lord Edmond Fitzmaurice *April* 26, 1141
*Contracts*
*The Irish Mail Service*, Question, Mr. Maurice Brooks; Answer, Mr. Fawcett *April* 12, 60; Question, Dr. Lyons; Answer, The Chancellor of the Exchequer *April* 16, 325;—*The Papers*, Question, Mr. Dawson, Mr. Gray; Answers, Mr. Courtney *April* 12, 80
*The Service to the North of Ireland—Acceleration*, Questions, Mr. Lewis, Mr. Gray; Answers, Mr. Fawcett *April* 23, 893; Question, Mr. J. N. Richardson; Answer, Mr. Fawcett *April* 23, 902; Questions, Sir Hervey Bruce, Mr. Lewis; Answers, Mr. Fawcett *May* 3, 1708
*The Scotch Mail Service—Acceleration*, Question, Mr. Webster; Answer, Mr. Fawcett *April* 27, 1271
*Savings Bank Department*
*Appointment of Controller*, Question, Mr. Kennard; Answer, Mr. Fawcett *April* 16, 315
*Salaries*, Question, Mr. Kennard; Answer, Mr. Fawcett *May* 3, 1722
*Telegraph Department*
*Porterage of Telegrams*, Question, Mr. Dalrymple; Answer, Mr. Fawcett *April* 12, 75
*Telegraph Messengers*, Question, Mr. T. D. Sullivan; Answer, Mr. Fawcett *April* 19, 610
*Sixpenny Telegrams—Liability of Guarantors*, Question, Mr. Guy Dawnay; Answer, Mr. Fawcett *April* 26, 1151

Power, Mr. J. O'Connor, *Mayo*
Ireland—Irish Land Commission—Payments under the Arrears Act, 422
Prevention of Crime Act, 1882—Searches, 422

Power, Mr. R., *Waterford*
Local Government Board, 1723

Powerscourt, Viscount
Medical Act Amendment, Comm. *cl.* 3, Amendt. 586; *cl.* 9, 595; Report, *cl.* 9, 1122

*Prevention of Crime (Ireland) Act*, 1882 (*Questions*)
*Arrests at Miltown Malbay*, Question, Mr. Kenny; Answer, Mr. Trevelyan *April* 27, 1268; Questions, Mr. Kenny, Mr. Parnell; Answers, Mr. Trevelyan; Questions, Mr. O'Donnell, Mr. Harrington; [No reply] *April* 30, 1425
*Defence of Prisoners—Collection of Voluntary Subscriptions*, Questions, Mr. T. P. O'Connor, Mr. Biggar; Answers, Mr. Trevelyan *April* 19, 617; Questions, Mr. Sexton, Mr. Parnell; Answers, Mr. Trevelyan *April* 20, 745
*Proclamation of Tipperary Co.*, Question, Mr. Mayne; Answer, Mr. Trevelyan *April* 27, 1266
*Section* 8—*Extra Police Tax—The King's Co.*, Question, Mr. Justin M'Carthy; Answer, Mr. Trevelyan *April* 30, 1435

[*cont.*

*Prevention of Crime (Ireland) Act*, 1882—cont.
*Section* 14
*Police Searches*, Question, Mr. O'Connor Power; Answer, Mr. Trevelyan *April* 17, 422; Questions, Mr. Biggar; Answers, Mr. Trevelyan *April* 23, 895; *April* 30, 1409
*Seizure of Documents*, Question, Mr. O'Brien; Answer, Mr. Trevelyan *April* 19, 616; Questions, Mr. Sexton; Answers, Mr. Trevelyan, 624; *April* 20, 744;—*Mr. Kennedy*, Question, Mr. O'Brien; Answer, Mr. Trevelyan *April* 30, 1422
*Section* 16
*Private Examination of Witnesses—Untried Prisoners*, Questions, Mr. Parnell; Answers, Mr. Trevelyan, Sir William Harcourt *April* 16, 312;—*Return of Persons confined for Refusing to give Evidence*, Questions, Mr. O'Brien; Answers, Mr. Trevelyan *April* 19, 614
*Secret Inquiries*, Questions, Mr. O'Donnell; Answers, Mr. Trevelyan, Mr. Gladstone *April* 30, 1428; Question, Mr. O'Brien; Answer, Mr. Trevelyan *May* 3, 1715

**Prevention of Crime (Ireland) Act (1882) (Audience of Solicitors) Bill**
(*Mr. Findlater, Mr. Dodds, Mr. Gregory, Mr. Givan*)
*c.* Read 2° * *April* 12 [Bill 61]
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *April* 16, 394; Moved, "That the Debate be now adjourned" (*Lord Randolph Churchill*); Question put, and negatived
Main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee; Report
Read 3° * *April* 17
*l.* Read 1ª * (*Lord O'Hagan*) *April* 19 (No. 34)

Price, Captain G. E., *Devonport*
Army—Compassionate Allowances—Captain Wardell, 197
Navy—Questions
Purchase of Cloth, 198
Seamen and Marines—Establishment of a Pension Fund, 1721
Victualling, &c.—Seamen's Rations, 302

*Prisons (England and Wales)—Convict Labour*
Question, Mr. Guy Dawnay; Answer, Sir William Harcourt *May* 3, 1705

*Protection of Young Girls—Legislation*
Question, Mr. J. R. Yorke; Answer, Sir William Harcourt *April* 23, 904

*Public Funds, The—Transfers of Stock*
Question, Mr. Gregory; Answer, The Chancellor of the Exchequer *May* 3, 1716

*Public Health*
*Nazareth House, Hammersmith*, Question, Mr. Daly; Answer, Sir Charles W. Dilke *April* 26, 1136

[*cont.*

*Public Health*—cont.
*Sanitary Authority of the Isle of Wight*, Question, Sir Hardinge Giffard ; Answer, Mr. Hibbert *April* 23, 899

**Public Health Acts Amendment Bill** (*Mr. Dodds, Sir Edward Reed, Mr. Arnold Morley*)
*c.* Ordered ; read 1° * *May* 1 [Bill 161]

**Public Health (Scotland) Provisional Order (Fraserburgh Waterworks) Bill** (*The Lord Advocate, Secretary Sir William Harcourt*)
*c.* Read 2° * *April* 30 [Bill 2]

Pugh, Mr. L. P., *Cardiganshire*
Criminal Code (Indictable Offences Procedure), 2R. 126
Law and Justice—Queen's Bench Division of the High Court of Justice—Delay and Procedure, 910
Municipal Corporations (Unreformed), Comm. *cl.* 12, 1584

Puleston, Mr. J. H., *Devonport*
Navy—Warrant Officers, 306

Raikes, Right Hon. H. C., *Cambridge University*
Africa (South)—Transvaal—Policy of H.M. Government, Res. 203
Anglican Bishop of Jerusalem, 199, 200
Criminal Code (Indictable Offences Procedure), Motion for Commitment, 342
Parliament—Inland Revenue Department—Grievances of Officers—Right of Petition, 1164
Post Office—House of Commons Lobby, 1266

*Railway Commission*
Amendt. on Committee of Supply *May* 4, To leave out from "That," add "it is expedient that the Railway Commission be made permanent and a Court of Record ; and that, in general conformity with the recommendations of the Committee, the powers of the Commission be extended ; and that, on application by a Railway undertaking for Parliamentary powers, a locus standi be afforded to Chambers of Commerce and Agriculture, and similar bodies, and to persons injuriously affected by the rates and fares sought or already authorised in the case of such undertaking" (*Mr. B. Samuelson*) *v.*, 1881 ; Question proposed, "That the words, &c. ;" after debate, Question put, and negatived
Words added ; main Question, as amended, put, and agreed to

Ramsay, Mr. J., *Falkirk, &c.*
Criminal Law (Scotland)—Imprisonment of a Publican at Hamilton, 1417
Customs and Inland Revenue, Comm. 1385
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1595
Railway Commission, Res. 1914

Rankin, Mr. J., *Leominster*
Poor Law—Emigration of Pauper Children, 899

Redesdale, Earl of (Chairman of Committees)
Isle of Man (Harbours), Comm. 1841
Representative Peers (Scotland), Comm. 1830

Reed, Sir E. J., *Cardiff*
Lord Alcester's Annuity, 2R. 676
Patents for Inventions, 2R. 386

*Registration of Voters (Ireland) Bill*
Questions, Mr. Dawson, Colonel King-Harman ; Answers, Mr. Trevelyan *April* 11, 1

**Representative Peers (Scotland) Bill** [H.L.] (*The Lord Chancellor*)
*l.* Moved, "That the Bill be committed *pro formâ*, and reported with Amendts." *May* 4 1828 ; after short debate, Motion agreed to ; Committee ; Bill re-committed (No. 5)

Richard, Mr. H., *Merthyr Tydvil*
Cemeteries, 2R. 1084, 1095, 1111
Lord Alcester's Annuity, 2R. 686, 689

Richardson, Mr. J. N., *Armagh Co.*
Elective Councils (Ireland), 2R. 11
Local Option, Res. 1354, 1355
Poor Removal and Settlement (Ireland), 2R. 1083
Post Office (Contracts)—Service to the North of Ireland—Acceleration, 902
House of Commons Lobby, 1265
Prevention of Crime (Ireland) Act (1882) (Audience of Solicitors), Comm. *cl.* 2, 396

Richmond and Gordon, Duke of
Army (India)—Surgeon-Major Thorburn, 410
Contagious Diseases (Animals) Acts—Foot-and-Mouth Disease, Motion for Correspondence, 273, 291
Fisheries (Scotland), 1838, 1839
Medical Act Amendment, Comm. *cl.* 3, 587 ; *cl.* 9, 593 ; *cl.* 10, 597 ; Report, *cl.* 9, 1123
Representative Peers (Scotland), Comm. 1830

Ritchie, Mr. C. T., *Tower Hamlets*
Parliamentary Oath (Mr. Bradlaugh), 1854
Parliamentary Oaths Act (1866) Amendment, 2R. 1791

Rogers, Mr. J. E. Thorold, *Southwark*
Cemeteries, 2R. 1093
Contagious Diseases Acts, Res. 803, 855
Criminal Code (Indictable Offences Procedure), 2R. 159, 164
Municipal Corporations (Unreformed), Comm. 1520
Parliamentary Oaths Act (1866) Amendment, 2R. 978

Rosebery, Earl of (Under Secretary of State for the Home Department)
Explosive Substances Act, 1875—Sec. 23—Storage of Gunpowder (Ireland), 1008

[*cont,*

ROSEBERY, Earl of—*cont.*
Fisheries (Scotland), 1838, 1839
International Fisheries Exhibition—Proposed Fish Market, 1544
Stage Plays in Aid of Charities, 2R. 723

RUSSELL, Mr. G. W. E., *Aylesbury*
Army (Auxiliary Forces)—Medals for Volunteers, 746
Contagious Diseases Acts, Res. 818

RYLANDS, Mr. P., *Burnley*
Customs and Inland Revenue, Comm. 1388
Duchy of Lancaster—Sales of Land, 195
Limited Partnerships, 2R. Amendt. 1679, 1680
Lord Alcester's Annuity, 2R. 655
Lords Alcester and Wolseley—Messages from the Queen, Comm. 330
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1584
Parliament—Rules and Orders—Sittings of Grand Committees, Motion for Adjournment, 1701
Parliamentary Oaths Act (1866) Amendment, 2R. 1509

*Sale of Liquors on Sunday (Ireland) Bill—The Petition of the Town Council of the City of Dublin*
Question, Mr. Blake; Answer, Mr. Dawson *April* 12, 70

SALISBURY, Marquess of
Army (India)—Surgeon-Major Thorburn, 410
Contempts of Court, Comm. *cl.* 16, 888
Fisheries (Scotland), 1838
France and Annam (Tonquin), 414
Land Law (Ireland)—Landlords under the Irish Land Act, Motion for an Address, 1405
Lords Alcester and Wolseley—Messages from the Queen, Motion for an Address, 262
Medical Act Amendment, Comm. *cl.* 9, 590, 591, 595; *cl.* 22, 600; Report, 1119; *cl.* 9, 1121; 3R. Amendt. 1262
Navy—Naval Lieutenants, Res. 269
Parliament—House of Lords (Construction and Accommodation), Nomination of Select Committee, 889

SALT, Mr. T., *Stafford*
Africa (South)—Transvaal Convention, 1881, 1162
Cemeteries, 2R. 1089
Law and Police—Dynamite and Explosive Materials—Rewards to Officers, 296

SANDWICH, Earl of
Navy—Appointment of First Lieutenants, 271

SAMUELSON, Mr. B., *Banbury*
Patents for Inventions, 2R. 369
Railway Commission, Res.* 1881, 1912

SCHREIBER, Mr. C., *Poole*
Parks (Metropolis)—Mounds in the Green Park, 191
Parliamentary Oaths Act (1866) Amendment, 915, 1062, 1063

SCLATER-BOOTH, Right Hon. G., *Hants, N.*
Criminal Code (Indictable Offences Procedure), Motion for Commitment, 340
Local Taxation, Res. 497
New Forest (Highways), 2R. 1667
Parliamentary Oath (Mr. Bradlaugh), 1844
Patents for Inventions, Motion for Commitment, 392

SCOTLAND (*Questions*)
*Distress in the Highlands and Islands*, Question, Mr. Buchanan; Answer, The Lord Advocate *April* 12, 56

*Education Department*
*Denominational Schools at Glencreran, Argyllshire*, Question, Mr. J. A. Campbell; Answer, Mr. Mundella *April* 23, 894
*Examination of Higher Class Schools*, Question, Mr. J. A. Campbell; Answer, Mr. Mundella *April* 23, 896

*Fisheries*, Question, Observations, The Marquess of Huntly; Reply, The Earl of Rosebery; short debate thereon *May* 4, 1837

*Law and Justice*
*The Extractor's Office—The "Register of Acts and Decreets,* 1880," Question, Dr. Cameron; Answer, The Lord Advocate *April* 19, 606
*The Keeper of the Register of Sasines*, Question, Mr. Fraser-Mackintosh; Answer, The Lord Advocate *April* 16, 301
*The Registrar General's Report*, Question, Dr. Cameron; Answer, The Lord Advocate *April* 20, 740
*The Sheriff Clerk of Forfarshire*, Question, Sir R. Assheton Cross; Answer, The Lord Advocate *April* 17, 424

*Law and Police*
*Imprisonment of a Publican at Hamilton*, Question, Mr. Ramsay; Answer, The Lord Advocate *April* 30, 1417
*The Chief Constable of Sutherland*, Question, Mr. Biggar; Answer, The Lord Advocate *April* 30, 1411

*Poor Law—Boarding-out of Pauper Lunatics—The Island of Arran*, Question, Mr. Buchanan; Answer, The Lord Advocate *April* 20, 737
*The Glendale Crofters*, Question, Mr. Macfarlane; Answer, Sir William Harcourt *April* 16, 297

SELWIN-IBBETSON, Sir H. J., *Essex, W.*
Parliament—Business of the House, 913

**Settlement and Removal Law Amendment Bill** (*Sir Hervey Bruce, Mr. Pell, Mr. Corry, Mr. Lewis, Mr O'Sullivan*)
c. Ordered; read 1°* *April* 25 [Bill 152]

Sexton, Mr. T., *Sligo*
- Constabulary and Police (Ireland) (Pay and Pensions), Res. 1668; Leave, 1941, 1953
- Criminal Code (Indictable Offences Procedure), 2R. Motion for Adjournment, 149, 158, 159; Motion for Commitment, 337
- Elective Councils (Ireland), 2R. 15
- Ireland—Questions
  - Criminal Law—New Judicature Rules, 908
  - Law and Justice—Mr. Barrow, County Court Judge of Monaghan, 905, 906
  - Medical Appointments, 623
  - Prevention of Crime Act, 1882—Seizure of Documents, 624, 744;—Defence of Prisoners—Collection of Voluntary Subscriptions, 745, 746
  - Royal Irish Constabulary—Police Force (Armagh), 1056
  - State-Aided Emigration, 1867
  - State of—Distress in Donegal, 423
- Ireland—Irish Land Commission—Questions
  - Court Valuers, 1876
  - Fair Rents—Appeals, 1059
  - Sub-Commissioners—Sittings at Nenagh, 1149
- Ireland—Poor Law—Questions
  - Bantry—Election of Guardians, 421
  - Cong, Co. Mayo—Election of Guardians, 903, 904
  - Leitrim Co.—Election of Guardians—Alleged Intimidation, 906, 908
- Lord Alcester's Annuity, 2R. 671
- Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1591, 1592
- Parliament—Standing Committees—Attendance of Members, 1577; Motion for Adjournment, 1702

Shaw, Mr. W., *Cork Co.*
- Elective Councils (Ireland), 2R. 18

Sheil, Mr. E., *Meath Co.*
- Criminal Code (Indictable Offences Procedure), 2R. 164, 165
- Parliament — Grand Committees — Report of Proceedings and Speeches, 85

Shield, Mr. H., *Cambridge*
- Parliamentary Oaths Act (1866) Amendment, 2R. 959, 961

Sidmouth, Viscount
- Navy—The Naval Forces, Motion for a Select Committee, 40, 44, 47, 49, 51

Simon, Mr. Serjeant J., *Dewsbury*
- Limited Partnerships, 2R. 1686
- Parliamentary Oaths Act (1866) Amendment, 2R. 1486
- Partnerships, 2R. 585

Slagg, Mr. J., *Manchester*
- Customs and Inland Revenue, 2R. 1243
- Limited Partnerships, 2R. 1683, 1692
- Post Office—West Coast of Africa, 1141, 1142
- United States and Mexico, 1054

*Slave Trade, The—British Slave Owners*
- Question, Sir John Hay; Answer, Lord Edmond Fitzmaurice *April* 30, 1416

Smith, Right Hon. W. H., *Westminster*
- Africa (South)—Transvaal—Policy of H.M. Government, Res. 204
- Africa (West Coast)—Sierra Leone—Annexation of Neighbouring Territory, 627
- Census, 1881, 1158
- Egypt—Harbour of Alexandria, 1144
- Ireland, Government of—Under Secretary to the Lord Lieutenant, 1157
- Lord Alcester's Annuity, 2R. 661
- Metropolitan District Railway, 2R. 1042
- Navy—H.M.S. "Daring," 1579
  - Naval Pensions Committee, 612
- Parliament—Business of the House—Navy Estimates, 1578
  - Rules and Orders—Sittings of Grand Committees, Motion for Adjournment, 1701
- Ways and Means—Financial Proposals—Duty on Silver Plate, 326

Smith, Mr. S., *Liverpool*
- Local Option, Res. 1321

Solicitor General, The (Sir Farrer Herschell), *Durham*
- Customs and Inland Revenue, Comm. *cl.* 7, 1511, 1512, 1517
- Municipal Corporations (Unreformed), Comm. 1518, 1523
- Parliamentary Oaths Act (1866) Amendment, 2R. 1738, 1740, 1741
- Steamship "Leon XIII.," Res. 1081

Somerset, Duke of
- Africa (West)—Church Missionary Society—Action of Agents on the River Niger, 31, 34

*South Pacific, Islands of the—The New Hebrides—Alleged Seizure of Property by French Settlers*
- Question, Mr. Alexander M'Arthur; Answer, Lord Edmond Fitzmaurice *April* 23, 898

*Spain*
- *Expulsion of certain Cuban Refugees from Gibraltar—The Debate*, Question, Sir R. Assheton Cross; Answer, Mr. Gladstone *April* 16, 323
- *Homicide of Thomas Mitchell, a British Subject, at Malaga*, Question, Mr. Henderson; Answer, Lord Edmond Fitzmaurice *April* 24, 1058

*Spain—The Steamship "Leon XIII."*
- Moved, "That, bearing in mind the manner in which Spanish Law was recently enforced in the case of the English steamer "Tangier," this House looks to Her Majesty's Government to uphold English Law, seriously violated in the case of the Spanish steamship "Leon XIII.," and to obtain compensation to the British subjects damnified in that case for the suffering and loss inflicted on them through the action of the Spanish Consul at Singapore" (*Dr. Cameron*) *April* 24, 1063; after short debate, [House counted out]

SPEAKER, The (Right Hon. Sir H. B. W. BRAND), *Cambridgeshire*
Africa (South)—Transvaal—Policy of H.M. Government, Res. 204, 205
Cemeteries, 2R. 1095, 1096, 1097, 1104, 1106, 1107, 1112
Channel Tunnel—Joint Committee, Res. 399, 400
Constabulary and Police (Ireland) (Pay and Pensions), Leave, 1942
Contagious Diseases Acts, Res. 855
Criminal Code (Indictable Offences Procedure), 2R. 92, 100, 117, 125, 150, 153, 154, 159, 160, 164, 165; Motion for Commitment, 333, 335, 336, 339, 340, 341, 342, 346, 347, 348, 349
Egypt—Ahmed Bey Khandeel, 1875
Ireland—Poor Law—Election of Guardians, Co. Leitrim—Alleged Intimidation, 908
Local Taxation, Res. 525
Lord Alcester's Annuity, 2R. 675, 689
Metropolitan District Railway, 2R. 1023, 1050
Parochial Boards (Scotland), 2R. 585
Parliament—Inland Revenue Department—Grievances of Officers—Right of Petition, 1164
  Lord Wolseley's Annuity Bill, 749
Parliamentary Oath (Mr. Bradlaugh)—Communication to the House, 1842, 1844, 1856
Parliamentary Oaths Act (1866) Amendment, 2R. 988
Patents for Inventions, Motion for Commitment, 389, 394
Poor Relief (Ireland), Motion for Leave, 1259
Poor Removal and Settlement (Ireland), 2R. 1083, 1084
Supply, 1918, 1919, 1923, 1924, 1925, 1927, 1929, 1931, 1932, 1933

**Stage Plays in Aid of Charities Bill** [H.L.]
(*The Earl of Onslow*)
*l.* Presented; read 1ª* *April* 13 (No. 32)
2R. after short debate, resolved in the negative *April* 20, 720

STANHOPE, Hon. E., *Lincolnshire, Mid*
Criminal Code (Indictable Offences Procedure), Motion for Commitment, 341, 345, 346
Parliament—Mr. Bradlaugh, Personal Explanation, 1702
Parliamentary Oaths Act (1866) Amendment, 2R. 1497

STANLEY OF ALDERLEY, Lord
Army (India)—Surgeon-Major Thorburn, 406

STANLEY, Right Hon. Colonel F. A., *Lancashire, N.*
Contagious Diseases Acts, Res. 799, 855

STANLEY, Hon. E. L., *Oldham*
Cemeteries, 2R. 1114
Criminal Code (Indictable Offences Procedure), Motion for Commitment, 347
Parliamentary Oaths Act (1866) Amendment, 2R. 1474
Parochial Charities (London), 2R. 1699

STANSFELD, Right Hon. J., *Halifax*
Contagious Diseases Acts, Res. 749, 751, 752, 799

STANTON, Mr. W. J., *Stroud*
London and North Western Railway (Additional Powers), Consid. 1567

**Steam Boilers (Persons in Charge) Bill**
(*Mr. Broadhurst, Mr. Burt, Mr. Craig*)
*c.* 2R., Debate adjourned *May* 2, 1700 [Bill 57]

STEWART, Mr. J., *Greenock*
Parliament—Business of the House, 1725

STUART, Mr. H. VILLIERS-, *Waterford Co.*
Egypt (Re-organization), 1572
Ireland—Land Law Act, 1881—Clause 19—Labourers' Cottages, 1147, 1416

SUDELEY, Lord
Isle of Man (Harbours), Comm. 1841
Metropolis — Metropolitan Improvements — Hyde Park Corner, 1263
  St. James's Park, 411, 734
Metropolitan District Railway—Ventilators on the Victoria Embankment, 732

SULLIVAN, Mr. T. D., *Westmeath*
Criminal Code (Indictable Offences Procedure), 2R. 121, 152, 153; Motion for Commitment, 338
Ireland—Law and Police—Mr. Gillooly—Imprisonment for Public Speech, 622
  Poor Law — Bantry — Election of Guardians, 420
Post Office — Telegraph Department — Telegraph Messengers, 610
Prevention of Crime (Ireland) Act (1882) (Audience of Solicitors), Comm. *cl.* 2, 397

SUMMERS, Mr. W., *Stalybridge*
Duchy of Lancaster—Foreshores—The Corporation of Southport, 73, 196, 1719

*SUPPLY*
Moved, "That this House will, upon Monday next, resolve itself into the Committee of Supply" (*Lord Richard Grosvenor*) *May* 4, 1915
Amendt. to leave out "upon Monday next," insert "immediately" (*Lord Randolph Churchill*) *v.*; Question proposed, "That the words 'upon Monday next,' &c.;" after short debate, Moved, "That this House do now adjourn" (*Mr. Molloy*); after further short debate, Question put; A. 49, N. 83; M. 34 (D. L. 83)
Question again proposed, "That the words 'upon Monday next,' &c.," 1930; after short debate, Question put; A. 76, N. 40; M. 36 (D. L. 84)
Main Question proposed, "That this House will, upon Monday next, resolve itself into the Committee of Supply," and, after short debate, agreed to, 1937

**Talbot, Mr. J. G.**, *Oxford University*
Local Option, Res. 1302
Parliamentary Oaths Act (1866) Amendment, 2R. 1651
Patents for Inventions, Motion for Commitment, 393

**Taylor, Mr. P. A.**, *Leicester*
India—Compulsory Vaccination, 611;—Madras, 1158
Law and Justice—Excessive Sentences, 436
Magistracy—Llangollen Magistrates, 59
Parliament—Business of the House, 1437
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1581

**Thomasson, Mr. J. P.**, *Bolton*
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1590

**Thompson, Mr. T. C.**, *Durham*
Cemeteries, 2R. 1101
Criminal Code (Indictable Offences Procedure), Motion for Commitment, 337

*Tobacco, Cultivation of, for Sale by Farmers*
Question, Lord John Manners; Answer, The Chancellor of the Exchequer *April* 19, 621

**Tomlinson, Mr. W. E. M.**, *Preston*
Cemeteries, 2R. 1098
Limited Partnerships, 2R. 1692
Railway Commission, Res. 1902

**Torrens, Mr. W. T. M'C.**, *Finsbury*
Parliamentary Oaths Act (1866) Amendment, 2R. 938

**Tottenham, Mr. A. L.**, *Leitrim*
Contagious Diseases Acts, 425; Res. 751
Ireland—Questions
Irish Land Commission (Sub-Commissioners)—Mr. M'Devitt, 1704
Magistracy—Law Adviser, 1419
Poor Law—Bantry—Election of Guardians, 419, 421;—Leitrim Co.—Election of Guardians—Alleged Intimidation, 907

**Tramways (Ireland) Provisional Order (Extension of Time) Bill** [H.L.]
(*The Lord President*)
*l.* Read 2ª* *April* 19 (No. 28)
Committee*; Report *April* 27
Read 3ª* *April* 30

**Tramways Provisional Orders (Aldershot and Farnborough, &c.) Bill**
(*Mr. John Holms, Mr. Chamberlain*)
*c.* Ordered; read 1°* *May* 4 [Bill 167]

**Tramways Provisional Orders (No. 2) (Birmingham and Western District, &c.) Bill**
(*Mr. John Holms, Mr. Chamberlain*)
*c.* Ordered; read 1°* *May* 4 [Bill 168]

**Tramways Provisional Orders (No. 3) (Colchester, &c.) Bill**
(*Mr. John Holms, Mr. Chamberlain*)
*c.* Ordered; read 1°* *May* 4 [Bill 169]

*Treaty of Berlin—The Tribute of Bulgaria*
Question, Mr. Bourke; Answer, Lord Edmond Fitzmaurice *April* 16, 316

**Trevelyan, Rt. Hon. G. O.** (Chief Secretary to the Lord Lieutenant of Ireland), *Hawick, &c.*
Constabulary and Police (Ireland) (Pay and Pensions), Res. 1825, 1826; Leave, 1942, 1952, 1953
Elective Councils (Ireland), 2R. 22
Ireland—Questions
Arrears of Rent Act, 1882—Alleged Ejectments, 1713
Arrests for Drunkenness—Constabulary Reports, 80
Cattle Disease, 1155;—Westmeath, 1267, 1433
Crime—Murder of John Flanagan, 1132;—Wicklow Co. 1138
Criminal Law—John Casey, 741;—New Judicature Rules, 908
Evictions—Co. Roscommon, 737
Executive Government—Office of Law Adviser of the Crown, 67, 608
Explosive Substances Act, 1875—Sec. 23—Storage of Gunpowder, 1142
Government of—Under Secretary to the Lord Lieutenant, 1157, 1427, 1428
Irish Mail Contract — Registration of Voters Bill, 2
Lunatic Asylums—Post-Mortem Examinations, 307;—Dundrum Asylum, 1053, 1408, 1409, 1709
Medical Appointments, 623
Public Health—Typhus Fever in Dublin, 1053, 1871
State-Aided Emigration, 1154, 1430, 1431, 1574, 1868, 1869, 1870
Timber Planting—Return of Trees Planted since 1857, 1273
Towns Improvement Act—Extension of Borough Boundaries, 1145
Union Rating, 1571
Ireland—Irish Land Commission—Questions
Appeals from the King's Co. 317
Court Valuers, 1876
Judicial Rents, Donegal, 1274
King's Co. 1158
Payments under the Arrears Act, 422
Sitting at Dungarvan, 1141
Ireland—Irish Land Commission—Sub-Commissioners—Questions
Colonel Bayley, 607
Granard Union, 1269
Lieutenant Colonel Davys, 309, 898
Limerick Sub-Commissioners—Listed Cases, 901, 902
M'Devitt, Mr., 1704
Nenagh, Sittings at, 1150
Ireland—Land Law Act, 1881—Labourers' Cottages, 1158, 1417
Evictions on Lord Cloncurry's Estate at Murroe, Co. Limerick, 1147, 1706, 1707

[cont.

**Trevelyan**, Right Hon. G. O.—*cont.*
  Ireland—Law and Justice—Questions
    Barrow, Mr., County Court Judge of Monaghan, 905, 906
    Belfast Assizes, 1431
    Execution of Myles Joyce for Murder, 1137
    Green Street Courthouse, Dublin, 65, 620, 621
    Jury Panels, 1134, 1135
    Licensing Sessions, Dublin, 1436
    Trial of Joseph Brady for Murder, 192, 193, 194
    Trial of Timothy Kelly for Murder—Protection for Witnesses, 1270
  Ireland—Law and Police—Questions
    Assault by a Landlord, 1712
    Cost of Conveying Prisoners, 625
    Gillooly, Mr.—Imprisonment for Public Speech, 622
  Ireland—Magistracy—Questions
    200
    Law Adviser, 1419, 1420, 1421
    Licensing—Ballymena Quarter Sessions, 1149
    Louth Petty Sessions—Captain Keogh, 1268
    Michael Sheehan and John Linane, Cases of, 1055
  Ireland—National Education—Questions
    Assistant Teachers, 1711
    Model Schools, 309, 310
    Training of Teachers, 423
  Ireland — Peace Preservation Act, 1881—Questions
    Extra Police Tax, King's Co. 1435
    House Searching, 895
    Sec. 1—Arrest of Mr. J. Connor, 72
  Ireland—Poor Law—Questions
    Ballymacwilbain—Election of a Guardian, 1413
    Bantry—Election of Guardians, 421, 422
    Belfast Board of Guardians—Alleged Defalcations of the Solicitor, 909
    Belfast Workhouse, 308, 1139;—Appointment of a Chaplain, 613, 1147
    Cong, Co. Mayo—Election of Guardians, 904
    Cork Union—Election of Guardians, 70, 744
    Donegal Workhouse, 1140
    Elections, 194
    Franchise for the Election of Guardians, 742
    Industrial Training of Pauper Children in Mount Mellick Workhouse—Dr. Bourke's Inquiry, 74, 75
    Leitrim Co. — Election of Guardians—Alleged Intimidation, 906
    Loughrea Workhouse — Alleged Ill-treatment, 1714
    Manorhamilton Union—Election of Guardians, 1707
    North Dublin Union, 1434
    Outdoor Relief, 1706;—Unions of Glenties and Dunfanaghy, 1862, 1863
    Poor Relief Bill, 1880
    Rathdrum Union—Election of a Guardian, 1133, 1134
    Shillelagh Union, Co. Galway—Election of Guardians, 1872
    Workhouse Test, 59

[*cont.*

**Trevelyan**, Right Hon. G. O.—*cont.*
  Ireland—Prevention of Crime Act, 1882—Questions
    Arrests at Miltown Malbay, 1269, 1425, 1427, 1723, 1724
    Defence of Prisoners—Collection of Voluntary Subscriptions, 617, 618, 745, 746
    Searches, 422, 423, 1409, 1410
    Sec. 14—Seizure of Documents, 616, 624, 744, 1422
    Sec. 16 — Private Examination of Witnesses — Untried Prisoners, 313, 615, 1429, 1715, 1716
    Tipperary Co., Proclamation of, 1266
  Ireland—Prisons—Kelly, James, Case of, 1146, 1418
    Spike Island, 1413
  Ireland — Royal Irish Constabulary — Questions
    1054
    Officers—Surplus of Special Grant, 1569
    Police Force (Armagh), 1056
    Report of the Commission, &c. 433, 1159
  Ireland, State of—Questions
    Distress in the West and North-West, 1407, 1408
    Donegal, Distress in, 423
    Extra Police—Co. Clare, 615
  Local Government Board, 1723
  Poor Relief (Ireland), Motion for Leave, 1257, 1260, 1261

**Truro**, Lord
  Army (India)—Surgeon-Major Thorburn, 400

*Turkey in Asia — The Governor of the Lebanon*
  Question, Mr. Bourke; Answer, Lord Edmond Fitzmaurice *April* 26, 1139

*United States—Dynamite Conspiracies*
  Question, Mr. Bourke; Answer, Mr. Gladstone *April* 24, 1061

*United States and Mexico, The*
  Question, Mr. Slagg; Answer, Lord Edmond Fitzmaurice *April* 24, 1054

*Universities (Scotland) Bill*
  Question, Mr. Lyon Playfair; Answer, The Lord Advocate *April* 23, 915; Question, Mr. Webster; Answer, The Lord Advocate *May* 3, 1718

**Ventry**, Lord
  Ireland—Arrears of Rent Act, 1882, 188

**Verney**, Sir H., *Buckingham*
  Madagascar—The Envoys, 306

**Vernon**, Lord
  Contagious Diseases (Animals) Acts — Foot-and-Mouth Disease, Motion for Correspondence, 280

WALTER, Mr. J., *Berkshire*
Local Option, Res. 1346
Parliamentary Oaths Act (1866) Amendment, 2R. Motion for Adjournment, 1506, 1784, 1790

WARTON, Mr. C. N., *Bridport*
Cemeteries, 2R. 1089, 1106
Criminal Code (Indictable Offences Procedure), 2R. 132, 138; Motion for Commitment, 340, 349
Criminal Procedure — Evidence of Accused Persons, 628
Elective Councils (Ireland), 2R. 30
Limited Partnerships, 2R. 1693
Local Option, Res. 1327, 1355
Municipal Corporations (Unreformed), Comm. 1522
Parliament—Ascension Day, Motion for Meeting of Committees, 1672, 1673
Parliament—Business of the House—Parliamentary Oaths Act, &c.—Postponement of Orders of the Day, 1590
Parliament—Contagious Diseases Acts—Legislation, 1867
Parliament—Standing Committees — Attendance of Members, 1578; Motion for Adjournment, 1702
Parliamentary Oaths Act (1866) Amendment, 2R. 1493, 1739, 1740
Parochial Charities (London), 2R. 1698
Patents for Inventions ,Motion for Commitment, 392
Steam Boilers (Persons in Charge), 2R. 1700
Supply, 1915, 1940

WATERFORD, Marquess of
Arrears of Rent (Ireland) Act, 1882, 187
Land Law (Ireland)—Landlords under the Irish Land Act, Motion for an Address, 1405

WATKIN, Sir E. W., *Hythe*
Parochial Charities (London), 2R. 1699

*WAYS AND MEANS* (*Questions*)
*Inland Revenue—Collection of Income Tax*, Questions, Mr. Alderman Cotton, Sir Stafford Northcote; Answers, The Chancellor of the Exchequer *April* 12, 63 ; Question, Mr. J. G. Hubbard; Answer, The Chancellor of the Exchequer *April* 16, 303; Question, Mr. W. H. James; Answer, The Chancellor of the Exchequer *April* 19, 622
*Income Tax* (*Schedule B*), Question, Sir Joseph M'Kenna; Answer, Mr. Courtney *April* 26, 1135
*The Income Tax on Agricultural Land* (*Ireland*), Question, Mr. Gorst; Answer, The Chancellor of the Exchequer *May* 3, 1717

*The Financial Proposals*
*Duty on Silver Plate*, Question, Sir Joseph Pease; Answer, The Chancellor of the Exchequer *April* 16, 314
*Gun Licences—Duty on Silver Plate*, Questions, Mr. Monk, Sir Stafford Northcote, Mr. W. H. Smith; Answers, The Chancellor of the Exchequer *April* 16, 325
*The Railway Passenger Duty*, Question, Mr. Buxton; Answer, The Chancellor of the Exchequer *April* 16, 316

WEBSTER, Mr. J., *Aberdeen*
Parliamentary Oaths Act (1866) Amendment, 2R. 974
Parochial Boards (Scotland), 2R. 564
Post Office (Contracts)—Scotch Mail Service—Acceleration, 1271
Universities (Scotland), 1718

*Western Islands of the Pacific*
*Australian Colonies — Annexation of New Guinea by Queensland*, Questions, Sir John Hay, Sir George Campbell; Answers, Mr. Evelyn Ashley *April* 16, 324; Question, Sir George Campbell; Answer, Mr. Evelyn Ashley; Question, Mr. O'Donnell; [No reply] *April* 19, 626; Question, Observations, The Earl of Carnarvon; Reply, The Earl of Derby *April* 20, 724; Question, Sir George Campbell; Answer, Mr. Gladstone, 747; Question, Mr. Blake; Answer, Mr. Evelyn Ashley; Question, Mr. O'Kelly; [No reply] *May* 3, 1718; Question, Mr. O'Kelly; Answer, Mr. Gladstone *May* 4, 1878
*Papers, &c.*, Question, Sir Henry Holland; Answer, Mr. Evelyn Ashley *April* 24, 1057

WHITBREAD, Mr. S., *Bedford*
Contagious Diseases Acts, 840, 846

WHITLEY, Mr. E., *Liverpool*
Cemeteries, 2R. 1092
Egypt (Military Expedition) — Army Pay Department—Reward for Services, 68
Isle of Man (Harbours), Comm. 996
Local Option, Res. 1375
Parliamentary Oaths Act (1866) Amendment, 2R. 1470

WHITWORTH, Mr. B., *Drogheda*
Local Option, Res. 1337
Morocco—Sale of Slaves at Tangier, 418

WIGGIN, Mr. H., *Staffordshire, E.*
Metropolitan District Railway, 2R. 1045

WILLIAMS, Mr. S. C. Evans, *New Radnor*
Municipal Corporations (Unreformed), Comm. *cl.* 5, 1527, 1528

WILLIAMSON, Mr. S., *St. Andrews, &c.*
Local Option, Res. 1342, 1343

WILLIS, Mr. W., *Colchester*
Supply, 1931, 1932

WILLS, Mr. W. H., *Coventry*
Patents for Inventions, 2R. 373

WOLFF, Sir H. D., *Portsmouth*
Criminal Code (Indictable Offences Procedure), Motion for Commitment, 341
Egypt—Ahmed Bey Khandeel, 1874
Gibraltar — Maritime Jurisdiction — The Papers, 297
Religious Dissensions—Dr. Canilla, 311, 312

[*cont.*

Wolff, Sir H. D.—*cont.*
  Navy—Seamen and Marines—Establishment of a Pension Fund, 1721
    Warrant Officers, 305
  Parliament—Questions
    Business of the House, 84, 859
    Contagious Diseases Acts—Legislation, 1867
    Parliamentary Oath (Mr. Bradlaugh), 319, 320, 322, 432, 433
  Parliamentary Oaths Act (1866) Amendment, 2R. Motion for Adjournment, 920, 988, 1167, 1664, 1665, 1759
  Patents for Inventions, Motion for Commitment, 394
  Prevention of Crime (Ireland) Act (1882) (Audience of Solicitors), Comm. *cl.* 2, Motion for Adjournment, 395, 397, 398
  Supply, 1918, 1919, 1929

Wortley, Mr. C. B. Stuart-, *Sheffield*
  Africa (South)—Transvaal—Policy of H.M. Government, Res. 253
  Friendly, &c. Societies (Nomination), 2R. 1665, 1666
  Locomotives on Highways Act—Traction Engines—Further Legislation, 299
  Patents for Inventions, 2R. 371
  Post Office—Parcels Post, 299
  Railway Commission, Res. 1910

Yorke, Mr. J. R., *Gloucestershire, E.*
  Local Taxation, 1277, 1278
  Metropolis—Electric Lighting, 1271
  Protection of Young Girls, 904

---

END OF VOLUME CCLXXVIII., AND THIRD VOLUME OF

SESSION 1883.

---

BIBL.
LONDIN.
UNIV.

---

LONDON: CORNELIUS BUCK, 22, PATERNOSTER ROW, E.C.